SCREEN RADIO MUSIC STAGE

VARIETY

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BARBARY COAST IN FLORIDA

Music 'Consent' May Hit Films

The big joker in the BMI consent decree is that it doesn't go into 'force and effect' unless ASCAP signs the same paper, and since there's a disposition now by the Society towards a 'per performance' basis, that's a big new headache for the picture peope. How the 'per performance' will effect filmusicals playing cinemas is a major worry.

The picture companies long favored the blanket ASCAP agreement since it cut away considerabe red tape on public performance and exhib contracts. Now, should the music men, as a whole, accede to any Governmental decree for a 'per performance' payment, that must entail much additional bookkeeping and other changes. This despite the film companies' blanket renewals with ASCAP just before the first of the year.

Many of the rank-and-file music publishers, incidentally, are veering to the idea that maybe the per-performance idea will work out to their additional benefit. It might curtail some of the insiders and vet board members, but it could mean much more to those music men whose works are generously performed on an open competitive basis.

Louella Parsons' 'Free-Talent' Radio Commercial Tabooed by SAG

Hollywood, Feb. 4.

Louella Parsons' deal with Lifebuoy (Lever Bros.) for a half-hour show with film stars struck a snag when the Screen Actors Guild at a meeting Monday night (3) refused clearance for the program and instructed screen players to decline appearances unless such refusal imperils their contractual relations with their studios. William Esty, agency on the account, had contracted for the Friday 10-10:30 p. m., EST., spot on CBS with the series slated to start around April 1.

SAG contends that 'free talent' shows of this type tend to depress the actor's value to radio. It also tends to deprive screen and radio actors of work at their regular rates of compensation. Under the Guild's rule No. 6, members are barred from giving free performances on the air. Also that acceptance of an amount of compensation so far below the member's usual standard as to amount to evasion of this rule is

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'Gone' Rounds Out Yr.'s London Run; 32 Weeks In Underground House

Despite the Nazi air raids, 'Gone With the Wind' this week is rounding out 52 weeks of playing time in London, engagements including runs in the Palace, Empire and Ritz. Latter house is the current showing.

Reason for the phenomenal record is largely traceable to the underground location of the Ritz theatre. 'Gone' is now in its 27th week in this house on the present engagement (it played five weeks there at the outset), and its uninterrupted run is because the theatre is regarded as a virtual air-raid shelter.

Main auditorium is situated two full flights below the street level and is known as the safest theatre in London in time of air raids.

Deanna's 'Phantom'

'Phantom of the Opera,' made by Universal twice before in 1925 and 1929, appears to be on the way for another remake by the company.

It would be considerably rewritten, however, to make a Deanna Durbin starrer of it. Lon Chaney starred in the original.

Taxi Dancers Under Canvas For Soldiers

St. Louis, Feb. 4.

A taxi dance hall in a canvas tent has been erected at Devil's Elbow, Mo., for the benefit of the draftees who are trickling into nearby Camp Leonard Wood and residents of Pulaski County are in the midst of boom days. The promoter of the dance hall recruited his hostesses from St. Louis via ads in all local

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Ecclesiastic Show Biz

Detroit, Feb. 4.

As if bingo games weren't bad enough, the churches here have now gone into more direct competition with the picture houses. During the past weekend one church was offering Cecil B. DeMille's 'King of Kings,' at no admission but with a collection taken, while another was offering as its film attraction Armand Denis' 'Wheels Across India.'

On top of that there were three church plays in town and Edgar A. Guest, newspaper poet, was speaking in still another church as an added attraction.

MIAMI NOW NO. 1 HOT SPOT IN U. S.

Everything Goes, From Wide-Open Gambling to Parisian-Style Niteries and Greenwich Village Sex Misfits

RESORT OVERBUILT

By ABEL GREEN

Miami, Feb. 4.

This is the wide-openest town in America. Everything goes.

This winter resort capital, always a more or less liberal segment of Americana, seems to have pointed everything for 1941 on making it a cross-section of rue Blondel, Paris' notorious sector; Greenwich Village (with its assorted sex misfits); Reno, with its wide-open gambling, al-

(Continued on page 20)

G. B. Shaw Burns By Proxy (Via Pascal) At Brushoff on War Short

Burning because a war message to the American people by George Bernard Shaw, which he had filmed, has not been released in this country, Gabriel Pascal arrived in the United States Monday (3). British producer termed the one-reeler 'more valuable than anything I have ever made before or will ever make.' He declared his intention to get to the bottom of what was holding up its release.

Stalling the distribution of the film, which has been in the hands of United Artists for several months,

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FILM VERSION MAY WIND UP 'TOBACCO' ON B'WAY

Although the picture version of 'Tobacco Road' opens at the Roxy, N. Y., Feb. 20, show's management expects to continue the stage play. Possible that the Broadway stay at the Forrest will be ended when the picture is released, but the road company is booked until the end of April. Not only is 'Road' piling up the run record in New York, in its eighth year on Broadway, but no show has advertised 'last weeks', so long.

Currently, 'Road' is playing Pittsburgh, it being the eighth visit there. Two extra matinees will be played, the expected gross for 10 performances being $20,000. Last year, when 'Road' played the smokey burg, it got $17,700 with one added matinee. Drama is booked by Dick Lambert, as in past seasons.

Chain of Key-City Niteries Mapped For the 'Poor Man' by Mike Todd

London's Theatre Toll

London, Feb. 4.

The following West End theatres have been hit by bombs to date, all more or less made unsafe for use:

Hippodrome, Saville, Strand, Queen's, Coliseum, Drury Lane and Phoenix.

Burns and Allen's Radio Pay Tilts To 14½G—Mebbe

Decision will likely be made this week by Hormel on whether it will exercise the option it has on the services of Burns and Allen. A Hormel official is due in New York before the current week ends to discuss with B.B.D. & O., agency on the account, the proposition of renewing B & A or buying a substitute program.

Burns and Allen's initial 39-week contract expires the end of March. The option requires that they be taken on for another 39 weeks, and be given a $2,000 raise in salary. Act's present package deal calls for $12,500 net, with the account taking care of the William Morris office's commission.

N. Y. POST-B'KLYN EAGLE MERGER GOING THROUGH

Merger of the New York Post and the Brooklyn Eagle is expected to be consummated this week. It's understood all details of the meld, which has been talked for some months, have been worked out. Only hurdle remaining is said to be some Post stockholders' squawks, which publisher George Backer anticipates can be straightened out, it is said.

Paper will be printed in the Eagle plant in Brooklyn and be known as Post-Eagle. It will cover the entire metropolitan area, catering to the former Eagle subscribers with a special Long Island edition. It will be an afternoon paper with a Sunday edition.

About 1,400 editorial, business and mechanical employees will be involved in the merger. Joint committe of Post and Eagle employees was named by the Newspaper Guild Exec Committee Monday (3) to interview both publishers on their intentions concerning the help.

Both the Post and Eagle have had tumultuous financial histories in recent years.

Michael Todd, basing his plans on the signal success of his 'poor man's' monster beer hall in Chicago bearing his name, is laying the groundwork for a chain of such spots in key cities all over the country. He claims it's the answer to a vaudevillian's prayer, plus a surefire way of meeting virtually all the entertainment needs of the middle class.

The Chicago Todd Cabaret, which is a rebuilt combination of the mammoth Rainbo Gardens and Fron Ton (jai alai court), has been grossing an average of $50,000 weekly since its opening Dec. 26, with Todd 'apologizing' in paid ads in the Chicago dailies for not being able to admit all the people who storm the doors. His tap at the gate is 50c per person, and this past Saturday (1) 4,172 people paid this price, plus spending an additional $8,100 inside for food and drinks. According to Todd, however, the smaller the crowd the more the spending, because the waitresses can get around

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Brazilian Carmen Amaya Doubles Gross of N. Y. Nitery, the Beachcomber

Carmen Amaya, one of Brazil's biggest stars but unknown in the U. S. until recently, has revitalized the Monte Proser-Walter Batchelor Beachcomber on Broadway, more than doubling the nitery's grosses for the few weeks prior to the flamenco dancer's opening there Jan. 17. The night club's gross had been down as low as $5,000 a week, but in Senorita Amaya's first week it jumped to $11,000, and then again to around $12,000 for the second.

At a guarantee of $1,000 a week, plus graduating percentages over $6,000 and $8,000, the dancer took $1,900 as her share in the first stanza and more the second. Last week,

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NO RESERVED SEATS FOR THE ASCAP TRIAL

Milwaukee, Feb. 4.

Inspired by newspaper stories of famous bandleaders, composers and radio stars scheduled to appear in Federal court here if the Government's antitrust suit against ASCAP actually comes to trial, women who would like to get a closeup of their idols in person have deluged the United States marshal's office with requests for reserved seats for the occasion.

They have been informed, however, there will be no reservations; that it will be a case of first come, first served when, as and if.

15 Best Sheet Music Sellers

(Week ending Feb. 1, 1941)

I Hear a Rhapsody	BMI
Frenesi	Southern
You Walked By	BMI
So You're the One	BMI
It All Comes Back to Me Now	BMI
Tonight (Perfidia)	Southern
High on a Windy Hill	BMI
May I Never Love Again	BMI
There'll Be Some Changes Made	Marks
There I Go	BMI
Last Time I Saw Paris	Chappell
God Bless America	Berlin
Let's Dream This One Out	BMI
*Down Argentina Way ('Down Argentine Way')	Miller
America I Love You	Mills

*Filmusical.

$10 Top Benefit at N.Y. Music Hall Feb. 21 for British War Relief

Movement has been started to coordinate all civilian war relief under the direction of the American Theatre Wing of the British War Relief Society. Plan will be signalized by a 'theatre carnival for Britain' to be held at Radio City, Music Hall, Feb. 21, affair to start after midnight. Tickets will be scaled at $10 top, that price going for the front rows.

Highlight of the carnival will be a three-way radio broadcast, with big name players participating in London, New York and Hollywood, program to be offered for commercial sponsorship. Beatrice Lillie, Leslie Howard, Vivien Leigh and Lawrence Olivier will be on the London end, Gertrude Lawrence will be in action at the Music Hall, while Robert Montgomery, Sir Cedric Hardwicke and Noel Coward will participate on the Coast, the latter going on the air if he arrives from Australia in time.

Coward's Tribute to U. S.

At a benefit given at the Music Hall four years ago for American flood sufferers' relief, Miss Lawrence, Miss Coward, Reginald Gard-

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Telling the World

New way of announcing the purchase of a story property by a film company came to light around 3 o'clock last Saturday (1) morning.

Stan Shaw, 'Milkman's Matinee' airer on WNEW, N. Y., read a telegram from Steve Fisher, who seemed highly elated because 20th-Fox had bought his mag story, 'Red Cross Girl,' and he was going to the Coast to do the adaptation.

LIBEL IN MEXICO IS SUBTLE, LATIN

Mexico City, Feb. 4.

Ricardo Lopez Mendez, announcer for local radio station XEW, has lined up an array of witnesses in connection with libel action Maria Luisa Zea, picture actress and radio singer, threatens to start over an alleged hot anecdote she says Mendez told about her and Tyrone Power.

Senorita Zea alleges that the announcer told into the mike a tale to the effect that she asked Power for his autograph but that she requested that he write his name on her bare thigh. Power, according to this story, indignantly refused, declaring that he is a respectable married man.

Mendez's witnesses swear that he did not mention Senorita Zea's name once in the story. Say the witnesses, the announcer's story was that a certain senorita asked Power for his autograph and bared her thigh, but that the actor declined to oblige, explaining that he had 'no white ink.'

Monied Classes' Dislike Of Cuban Prez Batista Explains N.G. Tourist Biz

Havana, Feb. 4.

The current political trouble, resulting in President Fulgencio Batista's strong methods to curb any insurgency, has been a q.t. reason for American tourism's downbeat. It's been no secret among the local aristocracy, and finally percolating to American Cubanophiles, that Batista wasn't exactly 'popular' with the monied class.

A week ago Sunday (26) it reached its peak at the fashionable Oriental Park (Havana Jockey Club) when Batista attended for a Presidential cup race. His entrance was the signal for an open snub in the clubhouse when the local aristocracy turned its backs on his entrance, the tourists and bourgoisie alone manifesting any excitement when he entered the clubhouse.

TA Cites Helen Jepson

Cleveland, Feb. 4.

Charges have been preferred by the Theatre Authority against Helen Jepson for refusal to obey instructions as to appearance at the President's Birthday Party.

These charges are brought against Miss Jepson as a member of the American Guild of Musical Artists, which is allied with TA. Penalties are possible fine and official reprimand for violation of the Guild rules.

Mitzi Green Ill

St. Louis, Feb. 4.

Despite throat ailment that may necessitate an operation in New York, to which she returned Saturday (1), Mitzi Green insisted on doing one show at the Chase Club, swank west end nitery, the night before. Booked for a two-week stand, she became ill a few hours after her arrival here Friday (31).

Two St. Louis specialists treated her and advised she return to New York to be treated by her personal physician.

Erin O'Brien Moore's Suit vs. Eatery Opens

Suit by Erin O'Brien Moore, whose husband Mark Barron is drama critic for Associated Press, against Jack Lyons, restaurateur, started Tuesday (4) in the supreme court, N. Y., with Justice Peter J. Schmuck presiding. Actress was severely burned in the Lyons establishment after the opening of 'The American Way,' Jan. 21, 1939, at the Center, Radio City. Damages totaling $100,000 are sought.

Miss Moore was in the hospital for 90 days after the accident under treatment for second and third degree burns. For more than six weeks her condition was listed as critical, but because Jack Pulaski's (VARIETY) aid in beating out the flames, her face was not marred. Miss Moore has principally been active in radio performances for the past year or so.

Pulaski also has a damage claim pending, he too suffering bad burns. VARIETY's dramatic critic was covering the 'American Way' premiere and had dropped in with Miss Moore for a drink at the nearby Lyons Chophouse.

Horkheimer Up for Sentence

Los Angeles, Feb. 4.

Found guilty of extortion, H. M. Horkheimer, former independent producer and head of Balboa Films, will come up for sentence in the U. S. District Court next Monday (10).

Horkheimer was charged with attempting to extort money from a Seattle woman by threatening to expose her daughter.

Lelia Campbell Makes Her Hollywood Debut

Hollywood, Feb. 4.

Lelia Campbell of the London stage (Mrs. Nigel Bruce) makes her Hollywood screen debut in the Alfred Hitchcock production, 'Before the Fact,' at RKO.

Her husband is also in the cast.

Goetz-Gordon May Make 'Eileen' As Film Themselves

Film version of 'My Sister Eileen' may be made by Max Gordon and Harry Goetz, producers of the current Broadway legit hit. That's the reason, it was learned this week, for the fantastic prices being mentioned by Gordon for screen rights. He has no desire to sell.

Ginger Rogers, who was in town last week, viewed the play, it was said, with the possibility of RKO purchasing it for her. Gordon and Goetz have a releasing deal with RKO and, if Miss Rogers is to be starred a film version, it will probably be on loan to the producers.

There's no likelihood of anyone's making it, however, for several years, it was said by Goetz this week. Show is very economical to operate, he declared, and long after current SRO crowds have petered out, it will still be possible to continue profitably. Low nut will also permit the producers to send out a number of road companies, Goetz asserted, which will put a minimum time limit of at least two years ahead of any picture possibility.

'Life With Father' is another Broadway legitr which the producer, Oscar Serlin, has refused to sell because he has an idea of filming it himself.

Berle, Haakon, Martha Raye, Martin, Abe Lyman In 1 Miami Nitery Show

Miami, Feb. 4.

Milton Berle remains at the Royal Palm Club here for four weeks and then must check back to 20th-Fox for another film. Following his first, 'Tall, Dark and Handsome,' the studio optioned him for three more.

Berle came in last week augmenting the Abe Lyman bandshow, when Paul Haakon also replaced Paul Draper. Martha Raye opens next week and Tony Martin follows the week thereafter, with Berle and the revue continuing.

Royal Palm's decision to permit George Wood, who books this Al White-staged floorshow, to go wild on the bankroll is induced by the stiffer competition.

Ben Marden's quadruple-threat show at his new Colonial Inn, in Hallendale, Fla., 20 miles from here, with Sophie Tucker, Harry Richman, Joe E. Lewis and Paul Whiteman, plus the continued click of Monte Proser's Beachcomber, makes it necessary for the Palm to extend itself on talent.

Lew Lehr Back

Lew Lehr, 20th-Fox shorts editor and comic in Movietone newsreel, who has been away on vacation for nearly two months, will return to work in the next few days.

Lehr suffered a nervous breakdown from overwork and was forced to abandon all picture and radio work in order to take a rest.

N. Y. to L. A.

Theron Bamberger.
Martin Broones.
Jack Cohn.
Marc Connelly.
Jinx Falkenberg.
Moe Gale.
Bert Gordon.
Jay Gorney.
Charlotte Greenwood.
Will Hays.
Tony Martin.
Joseph A. McConville.
Abe Montague.
Henry Myers.
Ginger Rogers.
George J. Schaefer.
Abe Schneider.
Lana Turner.
John van Druten.
Bob Welch.
Robert Young.

THE BERLE-ING POINT

By Milton Berle

Miami Beach, Feb. 4.

Am appearing here at the Royal Palms where I do a medley of my jokes. (My jokes.)

The headwaiter at the Royal Palms is making a fortune in tips. It seems that everybody wants to sit near the radiators.

The Roxy (N.Y.) held over my picture, 'Tall, Dark and Handsome,' for an additional week. I knew I had enough relatives to keep it going an extra seven days.

Received a postcard from my cousin who was recently drafted. He wrote, 'Having a wonderful time. Wish you were here—instead.'

Asked Dorothy Dey how she liked my column. Dorothy said, 'Who translates it for you?' (I wonder what she means? Dey just ain't no justice.)

The way the girls here dress for the beach they should call them 'no peace' bathing suits.

Broadway Dept.

Some of Broadway's best playwrights are Irish. There's O'Hara, O'Casey and O'Dels.

Sonja Henie's ice show at the Garden grossed over $280,000. You wouldn't exactly call Sonja a cheap skate.

Got a terrific idea which ought to land some actress right on the front pages. All she has to do is to take a bath in plain water.

Broadway Sam's brother, a sporting goods manufacturer, just got a big order from the Italian army for 200,000 pairs of running pants.

Leo Lindy sends all of his Florida-vacationing customers a wire. It reads, 'Why don't you come back here where it's warm?'

Somebody asked Sam Harris if Moss Hart is going to write another show for him. Harris replied, 'Right now, my Hart belongs to Kaufman'.

Hollywoodiana

Harpo Marx was a very bright child. He learned to talk at the age of two. At three he forgot how.

They're having a tough time filming 'Blood and Sand'. There's plenty of sand, all right—but where are you going to find an actor with blood?

The feminine lead in Howard Hughes' 'Billy the Kid' is a girl who has never been in the movies before. There's a picture with a new twist.

If Jack Benny makes 'Charley's Aunt,' Mary Livingstone automatically becomes Charley's uncle.

Everybody in Hollywood is plenty worried. A whole week went by without a new Joe Frisco joke.

Hollywood's traffic laws are getting stricter. They're thinking of a new regulation that will prohibit armless men from having drivers' licenses.

Sad but true: Success in Hollywood makes more bums than failure does.

Music Dept.

Abe Lyman's band at the Royal Palms is getting more versatile every day. The whole saxophone section now doubles on kazoos.

Bob Hope made Skinnay Ennis buy a baton filled with helium gas so that Skinnay can lift it in time for a downbeat.

Irving Mills is planning a visit to Florida so he can suntan some new shelves for his firm.

Jack Dempsey was forced to evict a noisy souse from his restaurant. The drunk kept singing, 'Beat Me, Daddy, But Not at the Bar'.

Radio Dept.

Boris Karloff did very well on 'Information Please'. The next time he appears on the program they should change the title to 'Crime and Pun'.

Did so well in a gangster role on the Kate Smith program's adaptation of 'Tall, Dark and Handsome' that I got a fan letter from Warden Lawes.

My brother says he likes jazz bands on the radio, especially that Raymond Gram Swing.

Hangnail Descriptions

Bill Robinson: The Match of Time. *Walter Winchell:* Grammar Boy. *W. C. Fields:* Arsenic and Old Souse. *Mary Beth Hughes:* Are you having any phone? *Sonja Henie:* Skater-Brain. *Cary Grant*—Hutton-Bothered.

Observation Dept.

Judging by the way the newspapers and the magazines play up the debs, it looks like there never was such a think as a homely society girl.

A local Miami Beach character puts more on a horse's nose than he does on his wife's back.

Harry Ritz has so much hair on his chest that he's thinking of having it knitted into a sleeveless sweater.

Am thinking of offering a dollar to anyone who finds a mistake in my column. Will my space be read?

A woman in Hollywood was knocked unconscious when hit by a golf ball. That makes two kinds of Hollywood drivers to avoid.

Eavesdropped at Royal Palace: 'He's a nerve specialist—goes everywhere on it.'

Eavesdropped at Rumba Casino: 'Things were so quiet here last night you could hear the prices drop.'

Any minute now they'll put a sign up at the Forrest Theatre where 'Tobacco Road' is playing, which will read, 'Last Two Years'.

Whatever Became of . . .?

Burt & Rosedale	Bud & Jack Pearson
Billie Stout—In the Test	Helen John's 11 Glorious Girls
Coscia & Verdi	Harry Fox and Beatrice Curtis

Afterpiece

A Miami Beach night club owner went crazy last week—ran around his place seeing customers before his eyes.

3 STOOGES INSULTED

Claim 'Most Frightening' Award Should Have Gone to Them

Omaha, Feb. 4.

Andrews Sisters were playing the Orpheum here last week when the Harvard Lampoon selected them as the 'most frightening.' Reaction on part of the girls was neutral, but the Three Stooges (Howard, Fine and Howard), also on the bill, were incensed.

Said they: 'We'll sue for defamation and damages. Title of the 'most frightening belongs to us.'

L. A. to N. Y.

Forrest Barnes.
William Boyd.
Grace Bradley.
John Christ.
Everett Crosby.
Dodge Dunning.
Tom Harrington.
John Hertz, Jr.
Louis Hyman.
Ben Kalmenson.
Wolfe Kaufman.
Herman Lissauer.
Les Martinson.
George McGarrett.
Maria Montez.
Lloyd Nolan.
Hartzell Spence.
Edwin Weisl.
Robert Wise.

Ingrid Bergman, Luise Rainer Both in Running For 'Bell Tolls' Lead

Although Ingrid Bergman is reported to have the favor of Paramount executives for the lead in Ernest Hemingway's 'For Whom the Bell Tolls,' it was learned this week that Luise Rainer is also being considered for the part. Miss Rainer, if she doesn't get the 'Bell' role, may be sent to England by Par to work in pictures it is planning there.

Viennese actress has been in con-

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Use Slogan for Caption

Suit of Robert E. Michels, collector, against Robert L. Ripley for $100,000 damages was dismissed last week by Judge John Foster Symes in the N.Y. federal court. Michels claimed Ripley borrowed a mummified foetus from him in June, 1932, under the pretense of purchase, but used it for publicity purposes.

Plaintiff claims Ripley was photographed with the foetus by Look in 1938 and declared at the time that he had secured it from Ecuador Indians. As a result of the publicity plaintiff has been unable to sell it, he claimed.

'LEGIT A RACKET'—SERLIN

Mrs. Jessel Comes A Cropper In Hub Nitery When Law Yanks Her As Minor

Boston, Feb. 4.

Local licensing authorities and blue-nose agencies fiddled while Lois Andrews and the Club Versailles management burned last week as front-page publicity added five years to her age and then subtracted it the next day. Result of the big-space fanfare in the press was that George Jessel's bride was cancelled at the Versailles after playing four days of an intended two weeks' engagement.

Miss Andrews was doing all right until last Wednesday (29) when someone suggested that the Boston Licensing Commission and the State Department of Labor check up on her age. There's a law prohibiting employment of a girl under 21 after 10 p.m., and another regulation against employing a girl under 18 in an establishment serving liquor. When officials challenged her on her age, Miss Andrews boasted that she was '21, going on 22.' The Thursday morning papers broke out in a front page rash about her sudden age increase over the previously touted 'child bride' figure of 16. Meanwhile, the interested officials checked with Los Angeles, the birthplace of Katherine Lorraine Gourley (Miss Andrews), and the vital statistics disclosed her birthdate as 1924 and that she would be 17 on March 24 of this year. The clamps were applied on the Versailles, Friday afternoon (31) and their floor show star was yanked. Then her age bounced back to 16 in the ensuing editions.

Court procedures on the alleged infractions of state law loomed as possibilities as the Boston Licensing Commission mulled the advisability of suspending the Versailles' license, and the State Department of Labor applied for complaints against the club management and Miss Andrews'

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Jessel-Mania

Boston, Feb. 4.

Local nitery ops have apparently gone nuts over the current week's date of George Jessel at the Mayfair Club. First, the Versailles booked Lois Andrews Jessel as opposition; then the Latin Quarter burst out with newspaper ads quoting Jessel as saying its m.c., Harry Spear, is the 'greatest master of ceremonies' in the business, etc. Mickey Alpert, orch leader and m.c. at the Cocoanut Grove, followed up with a lobby easel noting that 'Jessel thinks I'm great, too!' While the Fox & Hounds club had no floor show to tie in with the screwy epidemic, it promptly exploited a 'Jessel T-Bone Steak.'

Monte Proser's Beachcomber named its line 'The Jesselettes.'

Incidentally, child labor laws nixed Mrs. Jessel's p.a.

Sally Rand Will Fan For Fairs This Summer, Then Go Very Dramatic

Minneapolis, Feb. 4.

Having had her initiation in play acting at strawhat theatres and on tour in 'Rain,' and now classifying herself as an actres as well as a dancer, Sally Rand says her present ambition is to become a Shakespearean star. She plans to produce 'Merchant of Venice' first, with herself in the role of Portia. Prior thereto, however, this summer, for the first time, she'll do her fan and bubble dances at Canadian and American fairs to provide the wherewithal for the Bard of Avon endeavors.

The tour of fairs will involve appearances by Miss Rand before the grandstand and with her revue under canvas on the midways. Already 17 weeks have been booked starting June 20 with the Toronto Exposition, Miss Rand said during her Minnesota theatre engagement here last week.

'VARIETY'S' TAX SERVICE GETS AN EARLY START

Due to the probable great increase in the number of returns this year because of lower exemptions, VARIETY's federal income tax service is under way now, a couple of weeks ahead of past years. H. Wayne Pierson and Edward Rigney, general deputy U. S. tax collectors, have again been assigned to VARIETY's office in New York by Collector Joseph T. Higgins to assist showfolks in making out their returns. They are on duty daily between 10 a.m. and 6 p.m., including Saturday.

Personal exemptions for 1940 returns have been lowered. Single persons whose gross income is $800 or more must file a return, as must married persons, with or without de-

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JOHN DORED'S EXPLOITS

Daring Newsreeler 'Cameraman Without a Country'

John Dored, 'the cameraman without a country,' this week returned safely to U. S. after treking wars and disasters over the world for 20 years. He reached N. Y. just three days before his passport expired and was able to reach a safe haven because Paramount newsreel, for which he has worked for years, thought enough of its ace photographer to lay out nearly $5,000 for him to get to America via the circuitous route which took him through Turkey, India and Singa-

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ONLY IT'S LEGAL, SAYS PRODUCER

Broadway Producers Smarter Than Other Racketeers, He Says, Because They Don't Go to Jail for Bilking Suckers — Points to $1,000,000 in Flops This Season

'FATHER' BONANZA

By HOBE MORRISON

'The Broadway theatre is a racket. No wonder they call it the legitimate theatre. It's a legitimate racket. The difference between a legitimate racket and a plain racket is that one is legal and the other isn't. Broadway is legitimate.'

The speaker is Oscar Serlin. As producer of 'Life with Father,' Serlin is a serene man these days. After years in the theatre in various capacities, he is now a recognized success. His original company of 'Father' is now in its second year at the Empire, N. Y., still at virtual capacity, while road companies of the Howard Lindsay-Russel Crouse comedy are mopping up in Chicago and Boston. Yes, Serlin is a success, in neon capital letters.

'Broadway producers are smarter than other racketeers,' Serlin went

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WILLIE HOWARD CANCELLATION AN ISSUE

Willie Howard, currently starring in 'Crazy With the Heat,' at the 44th Street, N. Y., is the plaintiff in a claim being pushed by the American Federation of Radio Artists against Kated Corp., producer of the Kate Smith program. Case is being mediated by the American Arbitration Assn., as specified by the AFRA-network commercial code. Hearing will be held Monday (10).

Amount involved is between $7,500 and $10,000. Howard claims his contract for a series of appearances on the Kate Smith program was broken. He filled several dates on the show, but is alleged to have been replaced last spring when CBS officials refused to let him do a script based on a comedy French accent. It was about the time of the fall of France, and network execs were understood to be leery about possible public reaction to such a broadcast.

Howard asserted he had insufficient time to prepare substitute material, but Ted Collins, Miss Smith's partner and the show's producer, contradicts that statement with the claim that Howard had ample time to obtain another script. Collins is expected to base his cancellation of the contract on dissatisfaction with Howard as a writer, since the pact specified a performer-writer setup.

Under the AFRA rules, a straight performer contract would call for payment regardless of whether a performance is given.

Gamby's Concert Dates

Maria Gambarelli, whilom picture house ballerina more recently with the Metropolitan Opera, has taken a dance group of five on tour under Arthur Judson management. Will be on tour three months.

Opened in London, Ontario, Jan. 30. Ottawa and Montreal follow. Will play 41 dates in all

Schencks 'Make' FDR's Birthday Ball And Gala; Stars Talk Prez Out of Hat

Just a Whistle-Stop?

Washington, Feb. 4.

Civic pride of Hollywood was taken down a peg Wednesday (29), when the Dept. of Commerce announced that the Census Bureau sees the film capital 'in a different light' from 'millions of motion picturegoers and radio listeners.'

Hollywood does not even appear in the population records, the statement declared, and 'is merely the local name given to an unincorporated area which lies partly within Los Angeles City and partly in Beverly Hills Township.' Added insult to injury by explaining that 'the motion picture industry section (of Hollywood) is located in the township across the street from Los Angeles.'

Washington, Feb. 4.

Credit for making it a memorable January in Washington, both at the Inaugural gala and birthday balls, largely goes to Nick and Joe Schenck, latter operating in Hollywood to round up celebrities. Nick Schenck produced and paid all the expenses for Mickey Rooney's tourage, Nelson Eddy's trip, Rise Stevens of the Metropolitan, besides inducing Charlie Chaplin to attend and recite his 'Dictator' speech. Carter Barron was the real director of the inaugural gala, the Loew division manager staging the party under Mr. Schenck's direction.

For the birthday balls and White House gayety, Joe Schenck produced Deanna Durbin, Lana Turner, Wallace Beery and his daughter, Carol Ann, Preston Foster, Sterling Hayden, Constance Moore, Tony Martin, Helen Vinson, Kay Aldridge, Charlotte Greenwood, Maureen O'Hara, little Carolyn Lee, Clifton Fadiman, Jay C. Flippen, Jean Hersholt, George Raft, Al Ritz and Red Shelton. Schenck's Washington contact was Jock Lawrence of the Hays office, who worked with the local committee.

President's Hat for Charity

The Hollywood stars at the President and Mrs. Roosevelt luncheon turned the tables and had the Chief Executive sign autographs. Forti-

(Continued on page 18)

Gimbel's Gargantuan Art Show (Hearst); Bargain Basement Price Tags

Biggest show in New York this week isn't on Broadway, but down on 33d street. It's a full-floor layout at Gimbel Bros. department store of just about 1,000,001 things collected in a half century of collecting by William Randolph Hearst. Stuff is all on sale as though it were so much yard goods—with price tags ranging up to $199,894 for 16th century Flemish tapestry—and yokels and millionaires alike are pouring in to have a look.

Like a Broadway legiter, the big show had three previews last week and its official public opening on Monday (3). Previews—which were supposed to be private—drew 7,000 people the first night, 7,000 the sec-

(Continued on page 55)

GEO. ABBOTT DUE BACK AT RKO THIS SPRING

George Abbott, whose 'Pal Joey' production appears solidly set for a run at the Barrymore, N. Y., will go to Hollywood this spring for another producer-director stint at RKO. Date of his going is indefinite, as he is considering production of a legit comedy script, of unrevealed authorship and title.

If he doesn't do the play he will probably go to the Coast late in March or early in April. He has no picture in mind, but will consider story suggestions of studio heads. His decision whether or not to do the play depends on satisfactory revisions, but the author is understood to be reluctant to make any changes unless Abbott options the script. But having been burned several times by not getting suitable revisions after taking on option, Abbott is refusing to repeat that procedure.

ASCAP BY THE SEA

Music Men Vamp Until Peace—Marks of BMI There, Too

Miami Beach, Feb. 4.

Number of music men are hibernating hereabouts, literally vampin' 'til ready, because of the ASCAP situation, including publishers like Jack Robbins, Jack Mills, Lester Santly, Reg Connelly, Jimmy Campbell, Bobby Crawford, Murray Baker, etc. At the drop of a blue note the meeting of the minds on what's what with ASCAP, BMI, etc. becomes a major huddle.

Edward B. Marks, who made a deal with BMI, just arrived here. Even when the w.k. Miami sun shines, his advent casts a shadow for the other vehemently pro-ASCAP men.

LULU BELLE AND SCOTTY BACK TO HOLLYWOOD

Cincinnati, Feb. 4.

Lulu Belle and Scotty, vocal team starred on WLW's hillbilly Boone County Jamboree, have signed to appear in two more pictures to be produced by Republic. They were in 'Village Barn Dance' which Republic released late in 1939.

First of the new films is 'Country Fair.' Shooting of it is to start March 15. Production work on the second picture is scheduled to begin July 7.

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Welles, As 25% Owner of 'Kane', Would 'Force' RKO to Release Pic

Orson Welles, it is understood, has been prepared to force RKO to release 'Citizen Kane,' no matter what the decision of its execs or board of directors. Welles has a 25% interest in the film's net profit and is said to have been advised by his own attorneys that he has legal ground for requiring RKO to distribute the picture as per his contract.

RKO, in fact, has never indicated that it would do otherwise than release the film. S. Barret McCormick, pub-ad chief, yesterday (Tuesday) declared the picture will go into distribution around Feb. 28 and plans for advertising are going forward originally indicated. Welles' precaution was taken, however, in the knowledge of the tremendous pressure being put on RKO and its individual execs and board members by many high-placed members of the industry.

Producer-director-writer Welles, who has been branded 'Communist' in some Hollywood quarters because of his apparent lack of interest in money, isn't thinking of coin in this case either. Rather he feels that his honor is at stake, since this is his first film and it follows months of disparaging cracks about his inactivity in Hollywood.

RKO prexy George Schaefer, who has constantly been the boy wonder's principal proponent, and the RKO board ordered Welles east with a print last week. Directors—three of whom had previously sneaked to the Coast to have kick-seen—met, on Friday (31) afternoon, then saw the film and are to meet again today (5).

First screening in the east was on Wednesday (29) for a selected group of RKO officials and W. G. Van Schmus, managing director of the Radio City Music Hall. No deal has been set for New York opening of the picture and Van Schmus gave no inkling of what his plans are.

It's understood there have been other screenings for various attorneys who have been called in—all of whom are said to be of the opinion that there is nothing in the film on which court action could be brought by William Randolph Hearst, who allegedly claims the story too closely parallels his own life. Welles and Schaefer have been in virtually con-

Continued on page 18)

FREIDAY QUITS U B'D; COWDIN SCORES SUITS

William Freiday last week tendered his resignation as a director on Universal's board. Company will not appoint any person to fill the vacancy, but will wait until the annual meeting, March 15, when selection will be left up to the stockholders. Freiday was one of the two U directors named by first preferred stockholders. Samuel I. Posen is the other.

Regarding stockholders' suits, J. Cheever Cowdin, chairman of the board, in his annual report cited that it is unfortunate the company should be compelled to devote considerable time and energy to the defense of actions brought by stockholders in the present difficult times. Cowdin mentioned two suits brought by Posen, one alone, and the other with two stockholders. He outlined that the second action was instituted to enjoin the company from purchasing its first preferred stock under the Dec. 12 tender plan. He was denied a preliminary injunction.

Cowdin reported: 'In the opinion of your management, such suits are entirely without foundation and they believe that the record of progress and achievement of your company is a complete answer to these charges, which will be fully met when the cases come up for trial.' Universal's report for the fiscal year ending Nov. 2 last showed the net profit of $2,390,772 was virtually double that of the previous fiscal 12-month period.

Kelly Back in N. Y.

Arthur W. Kelly, United Artists vice-prez in charge of sales, returned Monday (3) from two-week visit to the Coast, where he confabbed with producers and saw three new pictures which will be released shortly.

Murray Silverstone, UA chief, and Charles Schwartz, counsel, who went west with Kelly, are expected back in about two weeks. Monroe Greenthal, pub-ad head, arrives back east later this week.

Bovine Justice

Hollywood, Feb. 4.

Killing a toreador is less heinous than killing a bull, under the ruling of the Will Hays office, as applied to the 20th-Fox production, 'Blood and Sand.'

Actual slaying of beef on the hoof, including preliminary bandarillo sharpshooting, is banned, but Tyrone Power, the bullfighter who is ruined by a bull, is permitted to die on celluloid with the approval of the censor.

$2.60 Per Share On Par Common Stock in Sight

With January earnings reported to have run ahead of the first month last year, Paramount is expected to show $2.60 per common share for 1940, according to revised Wall Street estimates. Previously figured it would be around $2. Statement is expected out in the next few weeks.

Chief interest in Paramount now centers in the proposed plan of the company to call in the first preferred shares outstanding. Corporation executives are attempting to map out a plan whereby this stock would be brought into the company treasury by means of cash and low rate, short-term loans. Proposition has been under consideration for nearly two months, but is still rated a must in the problem of company economy.

Reason for highlighting this first preferred withdrawal is that a resume this week showed the company to have paid out approximately 40% of its net income over the five-year period ending in 1939 in preferred dividends. Paramount net income for the five years starting in 1935 to 1939, inclusive, totaled $18,358,102 and approximately $7,437,700 was paid out in preference issue divvies. This takes in all distributions made on the two preferred issues since the company's reorganization plan became effective July 1, 1935.

On the basis of the preferred dividend distributions of 1939, it is estimated that the company was paying approximately $900,000 per year on the first preferred in dividends. Since then, the number of first preferred shares has been reduced, but dividends even now are reported to represent the disbursement of around $800,000 annually. If Par is able to secure a 3% or 3½% loan rate and take care of roughly half of the total first preferred withdrawal with cash, a saving of $400,000 to $500,000 is deemed possible.

Only alternative to actual consummation of such plan would be public conversion of its first preferred into common shares, induced by the currently high earnings on the common. As with other film companies, Paramount's ultimate desire is to have only common shares outstanding with only a minor amount of preferred on which the company would have to pay annual dividends. In this way common shareholders would stand to benefit directly from net profits shown by the corporation.

Nugent Draws 'Truth'

Hollywood, Feb. 4.

Paramount signed Elliott Nugent to direct the Bob Hope-Paulette Goddard co-starrer, 'Nothing But the Truth,' slated to start March 24.

Nugent was director of 'The Cat and the Canary,' in which Hope and Goddard starred.

It Happened in H'wood

By BILL HALLIGAN

Hollywood, Feb. 4.

It was after 10 when I left the Beachcomber. It's a sort of Chinese restaurant where they make a specialty of rum drinks. A zombie may sound like an Igorrote debutante, but it's four ounces of dynamite in a tall glass. Two of them make one very mellow. I had had three.

When I walked out to get in my car I saw a kid about 10 years old sitting on the running board. I thought it funny for a child to be out at that late hour. He had a canvas bag swung around his shoulder and he was selling Liberty magazines.

He said 'Good evening. May I sing you a song?" He sounded like a Harrow upperclass man. I took another look at him. He was wearing torn jersey and a pair of olive drab shorts. His shoes were canvas sneakers and a toe stuck out. He had the face of a Mike Angelo cherub.

He said, 'Did you say I may, sir?' 'No,' I said, 'I didn't say you may, sir. But now that you suggest it, I will say you may, sir.'

'What would like to hear,' he asked me, 'classical, operatic or popular?'

'Call your shot,' I said, 'and you better be good.'

I leaned up against a convenient telegraph pole and the kid started to sing. He had one of those Christmas carol voices. He sang an aria from 'La Boheme.' As far as he was concerned he might as well have been singing from the stage of the Met. He had all the poise and cocksureness of a John Charles Thomas. He hit a couple of high ones with the accuracy of Annie Oakley. The chills ran down my spine. That kid sang four songs for me. He sang me sober. I gave him a $5 bill.

'How long have you been around our town?' I asked him. 'I have been here as long as I can remember, sir,' he said. I took him over to the Roosevelt and he sang for Al Woods, the great New York impressario. I watched Al's face, and I could see a teardrop start. Here I had a boy of 12 and you could see he had something—that touch that is genius. He had been standing in front of the Beachcomber cafe for months singing for those who would listen or selling a Liberty now and then to those who wouldn't, and all the time, bottled up in that tiny frame of his that kid had something those bums who were too busy, or to arrogant to listen to, would have given their right eye for.

I took that kid up to my agent the next day. That was a month ago. This afternoon I picked up a Hollywood paper. I don't know—maybe there is a Santa Clause.

The press report said:

'Hailed by Leon Machan, official pianist of the Cleveland Symphony Orchestra, as possessing genius gifts, Richard Haydel, 12-year-old singer, dancer and pianist, is to be groomed for big things by Metro-Goldwyn-Mayer. He has just been signed. The first film in which he may appear is 'The Yearling,' though it remains to be seen whether this will be in the top role. He's in line for it, anyway, made some test scenes from the story and also gave a personal demonstration of his talents for Louis B. Mayer and other executives.

'He will be coached at the studio. 'Haydel was born in Helena, Ark.'

Ex-Scripter Shot to Death

Hollywood, Feb. 4.

Jack Kuhn, 44, former screen writer, was shot to death in Simi, Cal., Jan. 30.

Arrested for the shooting was a former inmate of the Preston State School.

REPUBLIC'S TRIBUTE

Hollywood, Feb. 4.

New 'sound stage and other construction work will cost Republic around $385,000.

The stage will be named after Ford Sterling.

Other News Pertaining to Pictures

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14 Cartoons Bid for Acad Shorts Award; Other Entries for Oscars

Hollywood, Feb. 4.

Nominations for the Oscar awards in short subjects this year have all been turned in for judgment by the Academy committee. They consist of 14 cartoons, 11 two-reelers and four documentary films.

Cartoons are 'Snubbed By a Mob,' Fleischer; 'You Ought to Be In Pictures,' Warners; 'A Wild Hare,' Warners; 'Raggedy Ann and Raggedy Andy,' Fleischer; 'Knock, Knock,' Universal; 'Puss Gets Boots,' Metro; 'Billy Mouse's Awakade,' 20th-Fox; 'The Mad Hatter,' Columbia; 'Western Daze,' Paramount; 'Wimmin Is a Mystery,' Fleischer; 'Early Worm Gets the Bird,' Warners; 'Cross Country Detours,' Warners; 'Recruiting Daze,' Universal, and 'Milky Way,' Universal.

Short subjects are divided into two classes, those of 1,000 feet or less, and those between 1,000 and 3,000 feet. Many of the latter are concerned with educational and military themes. Eliminations are being made by the preliminary judging committee, after which the winners will be chosen at a final showing. Walt Disney has no entries in the cartoon shorts competition this year, for the first time. He announced that he was centering his work on feature production.

Six Tinters Entered

Ten black-and-white and six color films have been placed in contention on the basis of quality in cinematography. In the former bracket are 'Abe Lincoln in Illinois,' RKO; 'All This, and Heaven Too,' Warners; 'Arise, My Love,' Paramount; 'Boom Town,' Metro; 'Foreign Correspondent,' Wanger-United Artists; 'The Letter,' Warners; 'The Long Voyage Home,' Argosy-Wanger-United Artists; 'Rebecca,' David Selznick-United Artists; 'Spring Parade,' Universal, and 'Waterloo Bridge,' Metro.

Starters in the tint class are 'Bitterswheet,' Metro; 'The Bluebird,' 20th-Fox; 'North West Mounted Po-

(Continued on page 20)

Clear the Way!

Hollywood, Feb. 4.

Warner studio is overcrowded these days with a record number of actors, directors and writers.

Contract list includes 21 stars, 48 featured players, 14 directors, 48 writers, 11 dialog directors, 12 associate producers and seven composers.

Profit on 1940 Biz Expected In RKO Report

While its financial report for 1940 will not be available until March, RKO likely will show a modest net profit as against the $186,495 deficit for 1939.

Aside from foreign operations, RKO Radio, the film producing and distributing subsid, is expected to show a slight improvement, while earnings theatre subsidiaries are reported as running substantially ahead of 1939.

Until Atlas (Floyd B. Odlum) exercises its option for Mike Meehan's Keith-Albee-Orpheum preferred shares, the company's directors will defer until March any decision to acquire all or part of the Meehan holdings.

Improved domestic revenues partially offsetting foreign losses is understood to be back of restoration to RKO execs of the 10% to 50% cuts that were imposed in October, 1939, shortly after the European war broke out.

Slash applied to everyone earning more than $4,500 a year. Numberof execs under contract also took pay cut to help the company ride out the lean period which the entire film industry feared was impending. Those earning $4,500 to $10,000 yearly took a 10% slice; up to $20,000, 20%; up to $30,000, 25%; to $40,000, 30%; to $50,000, 35%; to $75,000, 40%, and all above $75,000, 50%.

JACK FORRESTER'S U.S. PRODUCTION COMPANY

Jack Forrester, formerly active in Forrester-Parant Productions of France, has formed Forrester Film Corp. in N. Y. state, charter being granted on Monday (3), with O'Brien, Driscoll & Raftery as his law firm. Shareholders include Frank Ryan, N. Y. broker, and James D. Mooney, president of General Motors Export and a director of General Motors Armament. Forrester is president and general manager.

Purpose of new company is to produce all types of motion pictures, more specially for major company release. Forrester leaves for the Coast at the end of this week to huddle with directors and suitable story material for the initial picture.

Forrester is native-born American, returned to U. S. about six months ago after having been active in producing and distributing films in France for about 12 years. His most recent, better known pictures are 'Generals Without Buttons,' 'That They May Live' and 'Ballerina,' among about 60 French pictures while in Europe. Screen personalities under contract to him include Raimu (just before the war), Harry Baur, Danielle Darrieux, Tino Rossi, Gaby Marley, Francois Rosay and Vivian Romance. Although invited to return to the Vichy government and make pictures, Forrester declined because of the supervision and control by the government which he felt in turn would be regulated by Berlin.

Forrester has a number of his own story properties never before used but will look over available screen yarns in Hollywood before picking his first vehicle. One of his first tasks will be to pick a name American director, hence the Coast trek. He is not set on a releasing outlet but has several propositions under consideration.

Officers are: Forrester, prez and g.m.; Ryan, treasurer; R. Robert Proddow, also a Wall St. broker, sec.

OHIO CLERGY SEE WAR AND PIX BIZ ALLIED

Columbus, Feb. 4.

Annual report on films presented to the Ohio Pastors' Convention, in session here last week, charged Hollywood producers with shunning 'their inherent social responsibility,' criticized drinking scenes, pointed out that 'war is being glorified,' and claimed that 'certain financial interests are known to have vast financial holdings in both the film and military equipment industries.' It was explained, however, that the report was not a blanket condemnation of the industry, whose 'moral and social balance sheet is in the black.'

Resolution adopted by the convention reproached the industry for the 'notable increase (in pictures) in the glorification of war and the implication that military methods can best overcome fascism and other pseudo-philosophies that bedevil the world.'

Small Gets Back Into Stride With UA Pair

Hollywood, Feb. 4.

Edward Small returns to film production next week, with five pictures slated for release on the 1941-42 United Artists program. Producer goes to bat with two screen dramas simultaneously—'The Corsican Brothers' and 'My Official Wife.'

Remainder of Small's commitments are 'Sabotage,' She Was a Working Girl' and a tropical feature, still untitled.

Max Golden checked off the 20th-Fox lot to become production manager for Edward Small.

Spot was recently vacated by Val Paul.

Edward Small borrowed Ralph Murphy from Paramount to direct one of his pictures for United Artists release.

Murphy, who recently finished 'Las Vegas Nights' for Paramount, checked in yesterday (Mon.) at General Service studio.

ADMISH SCALES IN CELLAR

AN HONEST TRADE PRESS

There is a page of film company advertising in this week's issue of VARIETY which is conspicuous by its absence. The reason, quite frankly stated by the producer, is because the review of one of his pictures, published recently in VARIETY, does not coincide with the producer's own estimate of his work.

Of course, this subject of trade reviews of films, plays, vaudeville acts, radio programs, bands and all other forms of popular entertainment is one with which VARIETY is well informed, through experience, having treated with the matter in its various aspects some 35 years, since the founding of the paper.

Each recurring incident involving dissatisfaction with VARIETY's opinion, however, usually presents some new angle. In the current instance, the producer puts forth the interesting, if somewhat fallacious, theory that VARIETY, having informed motion picture exhibitors that the picture has some glaring shortcomings, is not a proper or effective medium for the advertising of his wares.

The 'chastisement' takes the form of cancelled advertising.

Through the years, VARIETY has been subjected to numerous types of retribution, ranging from threatened bodily injury to drawing-room snubs. But that's another story.

Ordinarily an incident such as the above would not be deemed important enough for comment. But it so happens that this entire matter of trade press reviews of films is very likely to be widely discussed when the new season's product is ready for presentation to the exhibitors of the country. Under the terms of the consent decree, which the five major companies have signed, all pictures must be shown to the trade at screenings before the distributors are permitted to negotiate any exhibition licenses with theatres.

Under the blind-selling, block-booking, method, now abolished by the consent decree, an entire season's program of films was sold by each company, frequently well in advance of the completion of the first picture of the group. Trade-press reviewing, under the system which is now prohibited by the decree, served the highly useful function of informing exhibitors of the exploitation values of a picture and its strength or weakness in first runs, which play single features, or in the ever-growing number of houses which have capitulated to the double-bill policy.

Starting with next season's releases, exhibitor-readers of the trade press will look to these publications for actual and practical buying guidance. It may be true that at the beginning of the new order or sales' procedure many exhibitors will attend the trade-showings, but it will not be long before exhibitors will find it impossible to devote the time necessary to see all the film so screened, and they will depend more than ever before on experienced and expert trade press reviews.

Reviews that are written with one eye on the business office and the other on the producers' advertising departments are not likely to be of much value to the thousands of theatre operators whose interest solely is in an honest, fair and sound appraisal of a film. Exhibitors, generally, and the bookers of the major and independent circuits in particular, are quite able to distinguish between a service which is conducted for their information and help from one that is operated on the principle that the nerves and sensibilities of the producers must have first consideration.

The crux of the issue is that the film industry will be in greater need of a strong, independent trade press, under the consent decree rules, than ever before.

So far as VARIETY is concerned there will be no change or modification of policy to cope with the greater responsibilities imposed upon its reviewing columns by the operation of the consent decree. Editorial principles which have been observed for more than a third-of-century were clearly outlined in the first issue of this newspaper on Dec. 16, 1905. *Sime* wrote:

> 'The first, foremost and extraordinary feature of it (VARIETY) will be FAIRNESS. Whatever there is to be printed of interest to the professional world WILL BE PRINTED WITHOUT REGARD TO WHOSE NAME IS MENTIONED OR THE ADVERTISING COLUMNS.
>
> ...'The reviews will be written conscientiously, and the truth only told. If it hurts it is at least said in fairness and impartiality.
>
> ...Do you want to read a paper that's honest from the title page to its last line? That will keep its columns clean of 'wash notices?' THAT WILL NOT BE INFLUENCED BY ADVERTISING? That's VARIETY.'

By adherence to such policy VARIETY has survived. Its usefulness and service to the trade have expanded with the growth of show business.

STILL AT 1936 AVERAGE OF 23c

Unable to Climb Out of Depression Low, Which Is Same as Prevailed in 1924, Prior to Industry's Major Advances

PRICE-CUTTING

The average admission price, which has remained at 23c, from 1936 until the end of last year, continues to hold to the low level of other retail prices produced by the 1929-31 depression era, according to a compilation made by trade experts in the U. S. Department of Commerce, statistics covering 1924 to 1940.

Conclusions derived from this summary are (1) that the influence of the depression era is about exhausted but the average of cinemas admissions fails to climb, (2) that the period of cut-throat competition generated by the depression continues, and (3) that this same fierce competition may actually prevent tilting the average admission fee despite a substantial prosperity era now in prospect.

Amazing feature of this resume on the average admission price is that the present 23c, is the same as the average which prevailed in 1924. This is despite advanced prices on

(Continued on page 22)

ONE-MAN TRUST TRY CHARGED TO GOLDWYN

Launching a vigorous counter attack on Samuel Goldwyn, United Artists Monday (3) filed answer in the N.Y. federal court to the producer's breach of contract suit against it.

'The plaintiff comes into court with unclean hands,' declares UA. Goldwyn's 'unclean hands' are then explained by the disclosure that at a stockholder meeting on Jan. 12, 1939, Goldwyn demanded that Charles Chaplin, the Pickford Corp. and Alexander Korda, each a one-fifth owner of the company like himself, execute a voting-trust agreement for a period of three years which would have, in effect, given the producer all the voting powers over their stock and a 100% right to elect officers and directors. Goldwyn threatened that unless this right was granted him he would op-

Continued on page 18)

BIOFF'S INCOME TAX TRIAL DUE JUNE 24

Hollywood, Feb. 4.

Willie Bioff goes to trial June 24 on the charge that he defrauded the Government of $85,000 in income taxes.

Defendant is at liberty on a bond presented by his attorney at the setting of the trial date.

Four Biggies for Sisk

Hollywood, Feb. 4.

Robert Sisk draws four big-budget pictures on his production schedule at RKO, beginning with the Ginger Rogers starrer, 'Tom, Dick and Harry.'

Other three are 'Valley of the Sun,' 'Wrapped in Cellophane' and an untitled yarn starring Charles Laughton.

New Flood of Tax Legislation Will Harass Film Industry This Year; Few Bills Offer Any Relief

Oh, My Gosh!

Early edition of the Los Angeles Herald-Express carried a story which read, in part: 'J. Casanova Cowdin, chairman of the board of Universal Pictures Co., Inc., in his annual report,' etc.

Yarn was corrected in the next edition.

Loew's to Vote On New 5-Year Deal For Nick Schenck

Besides the election of directors voting on the approval of a new five-year contract with Nicholas M. Schenck, president, is the most important business to come before the annual stockholders' meeting of Loew's, Inc., next Tuesday (11). Proxy statement mailed shareholders outlines information on the proposed new Schenck pact. Schenck has been president of Loew's since the death of the founder, Marcus Loew, in 1927. Present contract runs until the end of this year.

New contract, starting next Jan. 1, calls for $2,500 per week, as presently paid him, plus 2½% of the combined annual net profits of the company after seven deductions. Weekly salary includes an allowance for expenses excepting those incurred during travel.

The profit-sharing arrangement is made after $2 per share dividend is deducted on each share of common (2,745,744); after tax deductions, interest on bonds, mortgages and loans and after certain Culver City studio

(Continued on page 8)

HAYS, RECOVERED; EN ROUTE TO COAST

Sufficiently recovered from a severe attack of flu so that he could travel, Will Hays left for the Coast Monday (3) night. He expects to be gone from N. Y. until early March when he returns in time to prepare his 1940 report for presentation to the annual meeting of the Motion Picture Producers & Distributors Assn.

Hays was confined to bed for more than two weeks but had recovered sufficiently Monday to go to his office. MPPDA chief originally planned to be in Hollywood by the middle of February but his illness kept him east. Expected meeting of Hays office directors probably will not be held until he returns from the Coast. Matter of a new Hays' contract may be taken up before then, since his present five-year pact expires March 15.

Keeping Par Tunes Q. T. Until ASCAP Clarifies

Hollywood, Feb. 4.

With rash of songwriters breaking out all over the Hollywood landscape, due to the ASCAP-broadcaster imbroglio, Paramount is holding back publicity on ditties written for 'Kiss the Boys Goodbye.'

Victor Schertzinger, composer-director, declared the song titles are being 'kept in the dark' to foil opportunists who would appropriate wordage for what capital could be made of it. Schertzinger, who did 'Boys' and is an ASCAP member, demanded studio blackout on advance publicity.

With nearly every one of the 48 states scheduled to hold legislative sessions this year, flood of bills into the hopper in different state capitals already indicates the film industry will be the target of fresh and additional tax legislation. Measures introduced or being prepared shows many states seeking additional revenue because of hikes in pension allotments, several planning sales taxes outright levies admissions, and little relief offered in bills drawn to date. So-called chance games also will come in for full share of consideration by salons.

Resume of legislation introduced thus far shows both Nebraska and New York looming as the most troublesome states for the picture business, latter largely because so many representatives have their pet schemes for raising money. Legislator Newbauer, reputed to have been an exhibitor at one time, has a flock of anti-film business measures lined up in Nebraska. One is an outright 10% amusement tax bill. Another would assess the distributor $1 for each reel of film rented in the state. A third would charge each motion picture distributor $1,000 annually to do business in Nebraska. The amusement tax would be so severe that a 15c ticket would have a 2c tax tacked on.

New York's principal threatening bill is Assemblyman Bewley's proposed 3% gross receipts tax. Part of this would place a 5% tax on admissions in excess of 50c. Same leg-

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DESYLVA INTO LE BARON'S PAR SPOT

B. G. DeSylva, vet songwriter, now an associate producer at Paramount, has been appointed executive producer at the studio, succeeding William Le Baron, who resigned during the past week.

Higher berth for DeSylva is effective May 1. Meantime, he is turning out 'Caught in the Draft' for Par, a comedy. DeSylva also is producer of the two current legit hits, 'Panama Hattie' and 'Louisiana Purchase.'

Le Baron an Indie Producer

Hollywood, Feb. 4.

William LeBaron is leaving Paramount after nine years at the studio as producer and more recently as managing director of all production. He will produce independently, and likely release through Paramount.

COL'S COAST HUDDLE ON '41-42 PRODUCT

Lineup of product for next season is being huddled on with studio execs on the Coast by a bevy of Columbia home office execs who went west for the purpose over the weekend. Discussion of sales plans, in view of the decree which makes Columbia, Universal and United Artists the only companies eligible to sell a full season's product in advance—is also taking place.

Those who went to the Coast include Jack Cohn, v.p.; Abe Montague, sales-manager; A. Schneider, treasurer, and Joe McConville, foreign manager.

NARY A COMPLAINT COMES BEFORE ARBITRATION BDS. SINCE OPENING (1)

Exhibs Wait for an Opening Act—No Rush Expected, However, Until Blocks-of-5 Selling Starts This Summer

Failure of exhibitors to file any complaints for arbitration immediately that all of the 31 local tribunals were opened Saturday (1) is ascribed to the desire of theatre operators in each of their respective zones to sit back awhile to see what the other fellow is going to do, also to the probability that most film accounts will wait until selling in blocks-of-five begins. That will not be until June at the earliest, and most likely for not all of the five companies under the new sales system until some time in July.

Thus far exhibitors interested in arbitration have only made inquiries, mostly concerning routine, and it's understood that this group included only about a dozen through Monday (3), when also no actual complaints were filed. After filing a complaint, 17 days must elapse before a hearing, in order to prepare the papers, notify the various parties involved and arrange for arbitrators.

A large number of complaints from exhibitors are not expected until the summer, largely because the question of clearance will become a part of negotiation on the 1941-42 product when it's in quintet blocks. Existing clearance may be considered unfair and certain exhibs may seek to have it changed immediately, but such protection as now applies was a part of the current season's (1940-41) deals. Consent decree does not figure except in the sale of the '41-42 pictures, although arbitration machinery has been set up in advance and the cost of maintaining it must be borne from the outset.

Waiting for Selling Season

American Arbitration Assn. sources do not believe that cases will start to pile up until the companies party to the decree (Metro, Paramount, RKO, Warners and 20th-Fox) actually start offering '41-42 pictures. At that time, complaints will involve clearance and cetrain demands on the part of exhibitor for changes. Also, when '41-42 product is ready for screening and sale, other matters will come up such as shorts, discrimination, refusal of runs requested, etc.

Meantime, exhibs are studying the conditions that may prevail under the new order of distribution-exhibition relations and, it is predicted, will be in no rush to arbitrate for shifts in clearance at too early a date for fear that any decision now handed down may prove less desirable than after groups-of-five are starting to sell.

The AAA is confirming the appointment of arbitrators and by next week will have at least 10 ready to serve on each of the 31 panels, or a total of 310 minimum. The ultimate total is to be 1,170. Full assignment of 1,170, plus a probable 10 extra arbiters on each panel as emergency appointees to serve in very special instances, is expected to be set before June 1.

Managers of the 31 boards went on the payroll Saturday (1) and have been provided with 28 different forms that will be used in film industry arbitration procedure. One of these, which the exhibitor must sign when filing a case, is that he agrees to the arbitration award to be made. This, in a sense, makes the arbitration compulsory, although under the consent decree an exhib is not forced to utilize this means and may go into court if he desires.

N. Y. Appeals Board Set

The appeals board of three, to be located in New York at offices in Radio City, for which lease arrangements were made in January, was completed Monday (3), when Albert W. Putnam, of Harrison, N. Y., and George W. Alger, of N. Y. C., were appointed associates at $17,500 yearly for three years to serve with Van Vechten Veeder. Last-mentioned, chairman of the appeals tribunal was appointed Nov. 20 at $20,000 annually. Former Mayor James J. Walker had been backed by campaign within the picture industry for a post on the appeals board.

Both Putnam and Alger are on the payroll retroactive to Saturday (1). Former, who has been practising law since 1900, is a member of the law firm of Wintrop, Simpson, Putnam & Roberts in N. Y. Alger, also a lawyer, acted as special master in the RKO reorganization proceedings through appointment by Judge William Bondy. In 1926 he became the Moreland Act commissioner handling prison parole, while later he turned to labor law, particularly with relation to child labor. He is a member of the firm of Alger & Coughlan, also of N. Y.

AAA's Radio Broadcast

In launching arbitration Saturday (1), the AAA went on the air over a Mutual hookup from Coast-to-Coast for a 15-minute broadcast at 7:15 p.m. that night, with those in charge of the 31 local tribunals instructed to listen in.

C. V. Whitney, president of the AAA, discussed arbitration and what it means, while Paul Felix Warburg, chairman of the film administrative committee of the association, discussed it from the picture industry angle, expressing hope that arbitration might be administered satisfactorily, with economy and speed. Wesley A. Sturges, professor of law at Yale, also of the Warburg film committee, commented on arbitration as in force in other industries.

3 MPLS. INDIES READY CASES FOR ARBITRATION

Minneapolis, Feb. 4.

Init'al cases before the consent decree's arbitration board here will involve product difficulties. Three independent exhibitors who have been unable to obtain a desired type of pictures have announced their intention to go before the board for 'relief.'

E. J. Weisfeldt, managing director of the Riverside, Milwaukee, and 4,000-seat Minnesota here, using a vaudfilm policy, says that the case for the Minnesota will be ready for the board within a fortnight. With the Paramount affiliated circuit and Mort H. Singer pool having virtually all of the major product sewed up for downtown here, the Minnesota has had to depend on independent releases for its screen fare.

Bennie Berger says he will ask the board to compel the exchanges to service his Esquire, loop sure-seater. He can't get major product now and is using reissues.

Also in search of 'relief' for his Gayety, lower loop dime subsequent-run dual feature house, is Irving Gillman, who is having considerable trouble in getting pictures.

O'Brien's 20th-Fox Pact

Hollywood, Feb. 4.

Pat O'Brien closed a 20th-Fox deal for two pictures a year for an indefinite period, non-exclusive.

Studio and actor are talking over the initialer.

CHAPLIN FILM GOES OUT MARCH 1 AT 40%

Expected to become available March 1 or a week later on a general release basis, reported in buyer circles that the Chaplin picture, 'Dictator,' will be negotiated on deals at 40% of the gross with no provision to be made concerning admission minimums. Split conditions could raise the rental to a maximum of 65%, it is said. Earlier accounts, when the film was taken off roadshowing, were that it would go at 50%.

'Dictator,' initially sold on scattered deals, sought to emulate the stiff terms under which 'Gone' was merchandised by Metro. Buyers paid 70% straight percentage and agreed to play the film at 75c matinees and $1.10 evenings. Loew's was the biggest circuit gambler on the film at those terms but along with other exhibitors were disappointed in some spots.

United Artists has been holding off for about six months before making 'Dictator' available on general release due to conditions along those lines understood when roadshow agreements were made.

Vallee Resigns Jukebox Company's Presidency

Rudy Vallee last week severed a short-lived association with Vis-O-Graph Corp., jukebox film outfit. Orch leader had recently been elected pres of the company and was to have limited supervision of production, although it was said to be mainly a publicity tieup. Recent commitments for films at Universal and Columbia, however, have now made it impossible for Vallee to take any part in the see-box production, hence his resignation.

Sam Coslow unit, producing for Mills-Roosevelt Panorams, began shooting Monday (3) at Fine Arts studios on the Coast. Number of original songs by Coslow will be among first batch of subjects by Buddy Rogers and Bobby Sherwood orchs.

Allied States Defines Its Policy On Consent; 'Up to Distribs to Be Fair'

Admitting that the consent decree ends blind selling, one of Allied States Association's objectives for many years, but pointing up that if the distributors are not scrupulously fair in selling under the new system the hardships will outweigh the benefits, the exhibitor organization offered a report on policy at its annual board of directors meeting during the past week held in Washington.

Col. H. A. Cole, Texas exhibitor, was re-elected president at this meeting and Abram F. Myers was retained as chairman of the board and general counsel, Martin G. Smith was elected treasurer; H. A. Blum, financial secretary; Charles H. Olive, secretary, and Arthur K. Howard, recording secretary. Executive committee for the coming year includes these, plus Nathan Yamins, Sidney E. Samuelson, Jack Kirsch, M. A. Rosenberg and Roy E. Harrold.

A resolution was passed appointing W. A. Steffes, veteran northwestern leader of Allied, as honorary national councillor of Allied 'to the end that we may have the benefit of his advice and suggestions from time to time as he may see fit to impart the same.' He has been ill for some time and was forced to withdraw as president of Northwest Allied.

Report, in part, of the committee on policy relating to the position of Allied on the consent decree is as follows:

I. Compulsory Block Booking and Blind Selling

1. Admittedly Sec. III, providing for trade showings, is a remedy for blind selling. Heretofore Allied has contended for the identification of pictures, synopses instead of trade showings, so that pictures could be sold in advance and in such quantities as the parties might agree upon. Some exhibitors are concerned about Sec. III because of its close relation to the provision for selling in groups of five. But putting out of mind differences as to the most acceptable method of accomplishing the desired end, it must be conceded that the Consent Decree ends blind selling.

2. Sec. IV, providing for the selling of pictures in groups of not more than five each, makes selling some what more elastic than it now is, but it does not abolish compulsory block booking. Under the new system weak pictures can still be forced with the strong. Selling at

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Studio Contracts

Hollywood, Feb. 4.

Patti McCarthy inked player pact at Columbia.

20th-Fox picked up Ann Baxter's acting option.

Lucille Fairbanks was awarded a new player ticket at Warners.

Superior Court approved Roddy McDowall's minor contract with 20th-Fox.

Willie Best signed to pact at Warners.

Regis Toomey drew a Warners contract.

20th-Fox renewed Rober Lowery's acting ticket for another year.

Twentieth-Fox handed Arthur C. Miller a new cameraman contract.

Wilson Ashley signed writer contract at 20th-Fox.

Metro renewed cartoonist contracts of William Hanna and Joseph Barbera.

Paramount handed a director pact to Robert Siodmak.

20th-Fox lifted its option on Charles Tannen.

Jean Gabin, French actor, due to report for a contract at 20th.

Howard da Silva, legit actor, drew a contract at Warners.

John Wexley, screen writer, was signed by Samuel Goldwyn.

Warners renewed William Orr's acting pact.

ANNENBERG LOSES VS. FOX, MILWAUKEE

Milwaukee, Feb. 4.

Litigation started by M. L. Annenberg interests against the local Fox organization, alleging fraud and mismanagement in the latter's handling of the Oriental and Tower theatres over a three-year period, and demanding an accounting and division of profits, has ended in a victory for Fox. After the involved case had been long under advisement, Judge Gustave G. Gehrz in Circuit court has handed down his decision:

'Ordering that judgment be entered dismissing the plaintiff's complaint on its merits and that plaintiffs take nothing thereunder; that the defendants have and recover of the plaintiffs their costs and disbursements taxed herein at the sume of $191.44.'

Original action was based on the Annenberg claim that while Fox operated its (Annenberg's) Oriental and Tower under a managerial agreement, Fox rushed pictures out of these houses into its own nearby Downer and State prior to the expiration of the 14-day protection clause, thereby diverting patronage and profits from the Annenberg houses to its own theatres.

Illuminating testimony was offered by Aaron Trosch, who was secretary of the M.L.A. Investment Co. and who, with M. L. Annenberg, signed the managerial agreement with Fox in the beginning. Sometimes referred to as Annenberg's general manager, Trosch testified that he didn't discuss the operation of the theatres with H. J. Fitzgerald or other Fox officials, and had never made a complaint so far as he could remember that the operation was not all that it should be. He said he went to the theatres occasionally when they were showing a picture he wanted to see and glanced casually at the physical upkeep of the houses, but paid no attention to the bookings as he was 'not a showman.'

Asked when he found out the Fox people were playing pictures in the Downer and State in violation of the clearance schedule, he replied:

'When I got a notice from Mr Hazen (New York attorney and son-in-law of Annenberg) and Walter Annenberg (son of M. L.), and I got particular hell for being a sleeper.'

This notice came after the Fox group had been running the Oriental and Tower for three years, Trosch testified, and 'after we had given notice we were going to terminate our contract.'

Trosch said he was unable to refresh his memory with documents as the company files containing all records and correspondence had been taken by Uncle Sam in the Government prosecution of M. L. Annenberg for income tax evasion, an offense for which Annenberg is serving a three-year prison term Chicago. ($1,217,296 was amount involved in tax evasion suit.)

Trosch said his connection with the Annenberg companies terminated in August, 1940, and that he is now in the news business.

N. Y. Film Board Lists 1,068 Houses (1,234,260 Seats) Operating in '40

Static condition of theatre business in the Greater New York area is reflected by the N. Y. Film Board of Trade directory and summary of film houses at the end of 1940, which was published last week. Louis Nizer, attorney and executive secretary of the board, supervised the compilation of statistics.

Film Board reveals that the number of theatres in the Greater New York area (which includes nearby New Jersey and New York state communities) increased from 1,197 to 1,208, a year ago, and that the seating capacity grew from 1,343,883 to 1,346,594 during the past year. Despite this slight increase, the number of open theatres actually dipped from 1,072, shown at the end of 1939 to 1,068, with seating capacity for these houses off about 6,000 to 1,234,260. Number of closed theatres was figured as 140 having 112,334 seats.

N. Y. Film Board figures show a growth in the number of independent theatres to 449 as compared with 426 a year ago. This represents an increased seating capacity of nearly 29,000. Coincident with this increase, there was a decline in total circuit operations, only 759 theatres being listed as against 771 in the previous year. This represents a dip in seating capacity for these from 1,023,016 to 997,365. Of the circuits, the number of affiliated theatres in N. Y. state rose to 129 while those in New Jersey remained unchanged at 66.

Report shows 86 houses designated as Brandt Theatres while Cinema Circuit and Inter-City Circuit, both of which has Max A. Cohen listed as representative, are tabbed as having 10 theatres.

Board covers New York State as far north as Poughkeepsie, besides N. Y. City and Long Island, and as far south as New Jersey as Trenton.

LAEMMLE CORP. WINS $1,887 FROM N. Y. INDIE

C. L. Import Co., one of the late Carl Laemmle's corporations distributing film in the United States, won a $1,887 verdict against Sherman S. Krellberg in N. Y. last week. Laemmle outfit brought suit to recover damages of $150 a day stipulated in a contract it had with Krellberg. It was claimed that latter failed to show the film 'Skeleton on Horseback' at the Belmont theatre, N. Y., for the full run guaranteed.

Defense, represented by Emil K. Ellis, was overruled on its claim the damage clause was void because it was a penalty. Harold M. Goldblatt was counsel for the C. L. Imports.

Too Wet for Pegasus

Hollywood, Feb. 4.

Two more Tim Holt westerns are in the writing mill at RKO, 'Horseback Hurricane' and 'Deadwood Days.'

Production is being held up by rain in the hills, which has delayed Holt's current picture, 'Robbers of the Range,' for two weeks.

Outdoor Epic

Hollywood, Feb. 4.

Next big outdoor picture at 20th-Fox will be 'Lewis and Clark,' a tale of western exploration with Kenneth Macgowan as associate producer.

Cast includes Randolph Scott, Dean Jagger, John Carradine and Slim Summerville.

THE SARGE'S GAL

Hollywood, Feb. 4.

Joan Leslie gets the femme lead opposite Gary Cooper in the high-budget picture, 'Sergeant York,' at Warners.

Actress, who recently celebrated her 16th birthday, is the youngest player ever starred by the Burbank studio.

'Outlaw' On Own

Hollywood, Feb. 4.

Sale of the Howard Hughes picture, 'The Outlaw,' by 20th-Fox will be by individual contract and not part of the studio's '40-41 program.

Release is set for March 21.

NEW EXPERIMENT ON DUALS

Another $4,000,000 for 'Gone'

'Secondary' Release at 50-50 Doing Surprisingly Big B.O. on Its Second Year

That ole debbil boxoffice grosser, 'Gone With the Wind,' is outstripping the winter's latest blizzard as a traffic stopper where it has reopened at popular admission prices for its second season in film houses.

With returns in from 36 first-run continuous engagements, scattered from coast to coast, indications are pointing to a 'secondary' film rental gross approximating an excess of $4,000,000. Exhibition terms generally are 50-50; prices of admission, 50c evenings, 40c matinees, except where regular scale is higher.

Although authoritative and official figures of last season's showing of 'Gone' never have been issued by the distributor, Metro, expert appraisals within the trade set the boxoffice intake at $20,000,000. Under the terms of 70-30, film rental approximated $14,000,000 for the Selznick-International production. This figure, combined with the anticipated $4,000,000 rentals from popular price release, plus undetermined foreign rentals, will place the ultimate share to distributor and producer at considerably more than $20,000,000.

David O. Selznick announced, coincident with the first showings of the picture in December, 1939, that the negative cost was $3,900,000. Metro and S-I are financial partners in the production.

Within another week 81 additional first run popular price exhibitions of 'Gone' will be initiated, with holdovers in many of the 36 key spots now playing the picture. There is reported to be nearly 400 prints in technicolor available to theatres, all of which will be active within the next six weeks.

Only two other films of recent release are said by showmen to approach 'Gone' in 'regular' release. These are 'Boom Town' (M-G) and Cecil B. DeMille's 'North West Mounted Police' (Par). Outstanding feature of the grosses being rolled up by the Margaret Mitchell story is that showings are limited to four exhibitions daily, on account of its unusual running time of three hours and 44 minutes. With newsreel and cartoon, turnover is no more frequent than every four hours. Other films mentioned are standard length, allowing five and six showings daily.

Some Grosses

Peak boxoffice figure on 'Gone' on its return engagements from Cleveland (Loew's State, 1st wk., $28,000; 2d wk., $22,000; 3rd wk. (Stillman), $11,000, and holdover; Boston (State and Orpheum, combined, 1st wk., $51,000; 2d wk., Orpheum, $32,000; 3d wk., $28,000), and Pittsburgh (Loew's, $51,000 in two weeks, continuing) are indicative of the returns generally.

In Atlanta (Grand) where the film had its premiere at $1.65 scale, attendance at the first engagement of 16 weeks exceeded by 20,000 persons the theatre-going population of the city. On the return engagement the first week's receipts were $14,000, almost record high.

In the face of major competition from strong Broadway bookings, the return engagement at the Capitol (N. Y.) is pushing receipts to the higher brackets. In the first week the take was $55,000; second week, $48,000, with every prospect of holding on for several weeks.

Kiepura, Eggerth In H'wood for Pic Work

Hollywood, Feb. 4.

Universal is testing Marta Eggerth while her husband, Jan Kiepura, talks a picture deal with one of the major studios. Latter recently completed a South American concert tour.

Kiepura has an S. A. commitment for a series of filmusicals.

BETTE DAVIS' NEXT

Hollywood, Feb. 4.

'Widow of Devil's Island' will be the next picture for Bette Davis at Warners.

Aencas MacKenzie is writing the script from a Nicol Smith original.

Kyser on Coast

Hollywood, Feb. 4.

Kay Kyser trained in yesterday (Mon.) to huddle with RKO officials about another picture, to be made during his eight-month stay in California.

Meanwhile, Kyser will fill an engagement on Catalina Island in addition to his radio and recording chores. His last picture was 'You'll Find Out.'

DETROIT FOX'S TEST ON SOLO PICTURES

Detroit, Feb. 4.

Just how much this single feature stuff is wishful thinking and how much the public really wants it will be put to an actual test by the Fox here in conjunction with the coming 'Back Street.' Detroit's first-runs are solidly double-feature but manager David Idzal is going to sample the fans' preference. For the matinee bills, the first three of the day, which he figures are the bargain hunters' shows, 'Back Street' will be run off with another feature. For the evening shows it will do a solo with selected shorts.

Not only does he figure that this will provide a basis of comparison on the run itself but the week's figures can be double-checked against preceding weeks' matinees and night biz. It's going to be up to the fans to show how sincere they were on those polls which indicate a decided preference for single features and good shorts but when put into practice here didn't seem to click.

Shorts are hand-picked. Typical of what will be used with 'Back Street' is a Wendell Willkie "Information Please,' backed up here for use with an auspicious moment. It will be shown here following the play he's had on British junket and timed nicely with his return from abroad.

UA, COL, U WIN DELAY TO FEB. 17 IN GOV'T SUIT

Application of Columbia, United Artists and Universal to force the Department of Justice to drop the five producer-exhibitors as defendants in the Government's anti-trust suit against them was postponed to Feb. 17 in the N. Y. federal court Thursday (31) by Judge Henry Warren Goddard. Attorneys for the little three were so busy defending other suits that the application could not be heard until then.

Columbia also will ask for an outright dismissal of the action, claiming it violates the 14th amendment to the Constitution.

The companies are seeking to force the Government to drop all allegations in the complaint regarding theatre ownership, claiming it has no bearing on their status.

Ragland in Pic 'Hattie'

Hollywood, Feb. 4.

Rags Ragland, stage comic currently in 'Panama Hattie,' was signed to a contract by Metro. He reports June 1.

First assignment will be the same role in the screen of the play.

NO. 1 PIX AT 9 P.M. GATHERING FORCE

Not Too Early to Keep Patrons from Dinner; Nor Too Late to Cut Into Their Sleep — Pacifies Those Who Don't Care for Secondary Pix—May Become Countrywide

RKO-LOEW TESTS

Discovering that results at the boxoffice are better when the main features on double bills are thrown on the screen at 9 or 9:30 for the final showing, film showmen are starting to lean to such a policy and it's likely that the movement will become widespread. Experiments with the scheduling of pictures on duals would indicate that a very substantial slice of the public doesn't want to catch the second feature.

Question that is beginning to come up in a cursory study of the situation is whether or not there is a sufficient number of film regulars who want the extra sub-feature enough to justify the continuance of dual bills. Meantime, it is apparent that a lot of people merely want to see the top pictures on duals, skipping the secondary feature. Again the question is whether this group of patrons is in the majority or represents a minority. The answer may become the determining factor so far as the so-called duals menace is concerned.

In addition to numerous experiments in New York, which are to be extended, exhibitors are discussing agreements in various parts of the country to go 'all-out' on the scheduling of the No. 1 feature at hours that do not force people to miss their dinner, or, if catching the late show, part of their sleep. In Spokane, Wash., chain operators as well as independents have already agreed to do this.

May Mean Upped Revenue

Among other things, exhibitors as well as distributors are interested in the possibility that more convenient routining of shows, putting on the main feature at 7 and again at 9 or 9:30, as it used to be before duals swamped the country, may mean increased revenue.

It is pointed out in this connection, however, that the folks who want duals and are responsible for the policy do not care when either the No. 1 or 2 feature goes on, since they want to see two pictures. On the other hand, those who do not care to sit through two are being kept away because of the time (in the evening, of course) when the film they wish to see is put on. Managers attest to the fact that in innumerable cases people call up the theatre to ask when the top feature is going on and when they learn it's at dinner time or, for the last show, at bedtime, openly express disappointment. Assumption is that they don't come at all as a result.

Not every double bill includes what amounts to a lead feature, however. Very often a house is playing two 'dogs,' in which case there is nothing to gain through the scheduling. Also noted is that if main pictures are exploited at 'best hours' for the benefit of patrons having no interest in the lower half of duals, the secondary product may be apt to suffer because of the implication that it isn't any good. This may cause squawks, especially from independent distributors, but the position of the exhibitors is that he isn't responsible for bad films and, as a business man, it is to his interest to increase the gross no matter how he does it. Regardless of any such implications, however, the greater the business of a theatre the greater the rental to the distributor.

RKO, Loew's Experimenting

RKO and Loew's are both experimenting with the scheduling of the lead film at desired hours. Loew's

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'Big 6' Bally (Cream o' the Crop) As Stunt to Revive Mpls. B.O.

Minneapolis, Feb. 4.

In a campaign to sell the public the idea that 'motion pictures are better than ever,' the Eddie Ruben (Welworth) circuit will book into its 15 theatres consecutively the six best pictures available and exploit the group 'The Big Six.' Plans for the drive were completed at a meeting of the circuit's personnel here.

For each situation the group necessarily will have to be different—or at least its arrangement cannot be the same throughout the chain—but selections will be made from such releases as 'Philadelphia Story,' 'Kitty Foyle,' 'Santa Fe Trail,' 'Andy Hardy's Private Secretary,' 'Mr. and Mrs. Smith' and 'This Thing Called Love.'

'There are too many people who remain away from the movie theatres because of the mistaken belief that pictures no longer are any good,' Ruben told his managers. 'As a matter of fact, there probably never has been a time in the industry's history when the general quality average was so high or so many outstanding films were turned out in a corresponding period as at present.

'There has been too much slandering of pictures by people who either are ignorant or act from ulterior motives. The boxoffice has been crumbling under these onslaughts. Except in a few instances, even the inferior pictures give the public a big entertainment run for their money. If we demonstrate to amusement seekers—as we now are able to do—that films are the best entertainment and that every screen offering at our theatres is very much worthwhile it should not be at all difficult to win back patrons who have been staying away and thus revive the boxoffice.

'This probably is one of the first times in the industry's history when we've been able to give the public six smash hits in a row. I regard this as conclusive evidence that films are improving and product attaining a quality peak.'

In a smaller way, Paramount has been putting on a similar drive at its State here. It grouped and exploited 'Kitty Foyle,' 'Philadelphia Story' and 'Santa Fe' as the 'Big Three.'

Not the Type

Hollywood, Feb. 4.

The worst place in the world to shoot a motion picture about a motion picture studio is in motion picture studio.

Leo McCarey discovered that fact when he was trying to make a studio like a studio in 'The Cowboy and the Blonde.' Everybody butted in, including executives, secretaries, truck drivers and what not. McCarey finally set up a studio set on the back lot to make it look like a studio.

INDICTS 3 IN N.Y. FOR HANDLING 'HOT' FILMS

Charging duplication and fencing in 'hot films,' the office of the U. S. district attorney for Manhattan on Saturday (1) handed up a sealed indictment charging three men with having infringed on the copyrights of films by duping and selling them for exhibition. Those to be indicted are Louis Colasuono, known as L. D. Colson, head of the Colson Motion Picture Service, Bronx, N. Y.; Antonio Cardillo, his alleged partner; and Sol Jaffe, a photographic technician, and head of Movielab Film Labs., Inc., of 1600 Broadway. This is the first action of its kind in the history of criminal actions in the Southern District of N. Y.

The indictment charges the defendants with infringement of copyrights in renting duped films for exhibition in churches, schools and charitable groups, who accepted them in the belief that the defendants had been licensed to distribute them. According to the U. S. attorney's investigators, the defendants secured 35 mm. prints and reduced them to 16 mm., which were then sold. The films originally were either stolen or 'borrowed' surreptitiously from persons or agents engaged in legitimate business.

The indictment lists five films, Metro's 'Ben Hur,' 20th's 'Littlest Rebel' and 'A Connecticut Yankee,' Warners' 'Dinky' and 'The Little Flower of Jesus' (Sunray Films).

Under the two indictments the defendants, if proven guilty, would be subject to fincs of $11,000 and imprisonment of three years each.

Yesterday (Tucs.) all three defendants pleaded not guilty before Judges Edward A. Conger and Alfred C. Coxc, with the bail of Colasuono and Jaffe set at $2,500 each and Cardillo at $1,000. Tentative trial date of Feb. 17 was also set.

Cummings Into 13th Yr. As 20th-Fox Director

Hollywood, Feb. 4.

Irving Cummings, senior director on the 20th-Fox lot, drew new contract and was assigned to 'Belle Starr,' a tale of America's toughest female bandit the free-for-all days.

Cummings has been with the studio since 1928. Alice Faye, Betty Grable and Virginia Gilmore are up for the name role 'Starr.'

Hayden's Fast Climb

Hollywood, Feb. 4.

Stirling Hayden, who made his film debut in 'Virginia,' gets the co-starring role with Dorothy Lamour in his second picture, 'Dildo Cay,' at Paramount.

Edward H. Griffith is producer, director.

NEW FILING IN PIRACY SUIT FOR $1,000,000

Los Angeles, Feb. 4.

Suit for $1,000,000 filed by Norman Houston and Louis Ullman against Columbia Pictures, charging plagiarism in the production of 'Mr. Smith Goes to Washington,' has been taken off the U. S. district court calendar temporarily, with new actions pending.

In the dual suit, Houston charges piracy of his yarn, 'Clowns in Congress,' and Ullman claims a copyright infringement on his 'Three Little Tales Go to Market.' Suits were filed simultaneously in the Superior court and later transferred to the Federal tribunal.

Freak Mishap Gases Jeanette MacDonald

Lynchburg, Va., Feb. 4.

Tear gas, turned loose accidentally in the Roanoke, Va., Auditorium didn't help the cold from which Jeanette MacDonald is currently suffering.

Accident occurred a few hours before singer was to give a concert. A national guard company's supply of tear gas bombs became leaky in some manner and filled hall with fumes. Despite long airing, the auditorium was still acrid when Miss MacDonald began to sing, and she and audience 'wept' copiously throughout program.

Next day she cancelled an Asheville concert and hurried to Florida to get over her cold.

Miami 'Back Street' Preem Dream Junket for Rural Newspapermen

By ARTHUR UNGAR

Miami Beach, Feb. 4.

Premiere of 'Back Street' at Lincoln and Cameo theatres tonight (Tuesday) climaxes one of the most relished junkets the press has taken since the hauling around the country stunt started. The opening tonight will have in formal attire the majority of the 150 newspaper people recruited from all parts of country for purpose of being the star guests, with the Miamians greeting them in same hearty spirit that is generally accorded name players at such shindigs.

Deanna Durbin is the only star on from Coast for the occasion.

The trip has proven to be a Cook's tour of this eastern seaboard resort for the members of the press, who came here by plane and train. It was the answer to the dream that many of the seasoned junketeers have been having since Warners started carrying them around the country and appears to be a wise $25,000 investment for Universal, which will undoubtedly bear the company good will for a long time to come.

Visiting press were typical tourists and did not pass up a single opportunity to explore the eastern and western Floridian coast during their five and six-day stays here. Some of the gang even got as far as Havana, with their main interest while here being the beaches, the Hialeah racetrack and the night spots. Many were on the late shift every night, but from reports will not be able to cover more than 10% of the niteries before they train and wing home on Thursday (6).

'Jerks from Albuquerque'

Factually, they were 'The Jerks from Albuquerque,' even to the extent of getting night club entertainers to autograph menus, etc., for them, with some of them even having hotel clerks, ushers, etc., sign their programs of various events, luncheons and dinners they attended during the pilgrimage.

Universal crew, headed by John Joseph, George Thomas, Gene Murphy and Louis Pollock, of the New York publicity department, went the limit on arrangements for the crowd, with many of the ruralists in the journalistic field getting their first opportunity to mingle with metropolitan critics and syndicate writers. Press crowd was mentioned locally in advertising, with newspaper ads being carried that listed the entire party, plenty of fan mail as a result accruing for the star newspapermen of the trip at the Miami Biltmore, in Coral Gables, where they were housed during their stay here. Last night, at the Rhumba Casino, more than 30 of the boys shared introductory honors with the performing celebrities, who were on hand to bid adieu to Desi Arnaz, who closed his run at the establishment.

So far as the West Coast contingents were concerned, it looks as though the Floridians sold this resort to them, with the city management taking in hand personally the Hollywood aggregation to see that they were not misled on the virtues of Florida. Couple of the West Coast boys even were ready to part with coin for deposit on citrus groves, where they want to spend the recreation period of their life.

All in all it was a swell junket, with the gang now readying itself for a jaunt to Mexico City or the Argentine for its next premiere. The boys and girls of the press have been given caviar now and no doubt will expect it in the future from the film companies, who feel that these expeditions are greatest goodwill builders for the industry.

'VIRGIN MAN' TITLE DISTURBS DETROIT

Detroit, Feb. 4.

Pressure groups here went to work swiftly after the Cinema advertised 'He, the Virgin Man,' Flare-up on the French picture caused the management to swiftly change the title of the picture in its advertising to 'He, King of Virtue.'

In fact, the change came so suddenly after the first advertising that newspaper reviewers were refering to the picture by its original title in their reviews while the adjoining ad columns were carrying the more subdued titling.

PAR ADDS 5 MORE REGIONAL EXPLOITERS

Enlarging its exploitation forces for complete coverage of the country in line with the demands of the consent decree, Paramount is spotting men in six territories now without concentrated exploiter backing.

Edward J. Wall will take over the Albany and Buffalo exchange territories; Arnold Van Leer will handle Pittsburgh out of the Philadelphia district headquarters; Jim Lundy, now Denver, takes over for the Cincinnati and Indianapolis zones; John Hewlett will be attached to the Atlanta-Charlotte-New Orleans district; and Norman Sproule will be assigned to handle Denver, St. Louis and Omaha. An appointee is yet to be selected for Chicago. Those set start Monday (10).

'FANTASIA' GETS PAGE ONE IN HUB

Boston, Feb. 4.

If all the publicity lineage on the local opening of 'Fantasia' were laid end to end it would possibly add up to the biggest newspaper break ever accorded any theatrical entertainment playing New England. The advance squibs and features were impressive, but the smash breaks on all front pages of Hub papers, following the preem; were the talk of newspaper and show biz circles.

All morning papers gave the review page one position, and all the sheets ran three or four stories from the firm, art, music, society, technical or general news. The Globe, for example, broke all precedent by starting off three reviews (Marjory Adams, films; Cyrus W. Durgin, music; A. J. Philpott, art) on the front page with by-lines and pictures for each critic. Globe rarely gives by-lines to its reviewers and the accompaniment of pictures of these writers came as a surprise. Joining the carry-over of this triple review was a society story by Marjorie Watts.

Post also gave 'Fantasia' four-barreled recognition, and the Herald came through with three reviews and stories plus an editorial on the following day. The Christian Science Monitor contributed with film and technical reviews and followed up with criticisms on the art, music and dance aspects of the film. Transcript also broke precedent by carrying a page one symposium of contemporary critics on the controversial picture, then expressed itself in three reviews inside.

'Fantasia' in Pitt., S. F.

Two additional dates for 'Fantasia' were set Monday (3), bringing the total to eight of the 12 cities in which it will eventually play simultaneously. New ones are the Fulton, Pittsburgh, and Geary, San Francisco, which will both preem on March 5.

New York, Los Angeles and Boston are currently running, while Philly is set for next Wednesday (12); Detroit, Feb. 18, and Chicago, Feb. 19.

Mickey to the Rescue

Detroit, Feb. 4.

Mickey Mouse is going to help ransom the Detroit Symphony Society.

The Woman's Organization for the Detroit Symphony Orchestra has bought out the Wilson here for the opening of Walt Disney's 'Fantasia.' Seats will be sold for $5 apiece with the preview showing on Feb. 18 expected to glean $6,000 of the local symphony's $20,000 deficit.

House has been completely equipped with new sound since the Shuberts attempt to launch a season of revivals at the Wilson washed out and after the Symphony group takes the cream off the first performance, 'Fantasia' will settle down to its regular run there. Thus, Mickey Mouse also may be helping to recoup some of the Shubert loss since their lease on the theatre runs for two years.

Variety Clubs

Detroit's Installation

Detroit, Feb. 4.

Local tent of Variety Club will install its new officers, headed by John Howard, at the initiation banquet Feb. 10 in the Hotel Book-Cadillac. As part of the entertainment, the revue booked in for the Colonial will play the banquet. Wade Allen is general chairman with Howard heading the committee, film industry guests.

The entertainment committee is headed by William Carlson and includes Earl J. Hudson, president of United Detroit Theatres; David M. Ideal, manager of the Fox, and Raymond Schreiber, manager of the Colonial.

Durbin-Jones Honored

Atlanta, Feb. 4.

Deanna Durbin and Allan Jones were honored guests at the annual installation banquet of the Atlanta Variety Club here here Saturday (1). William K. Jenkins, chief barker, and other 1940 officers of the Atlanta tent, recently reelected, were installed as 1941 officials by Bob O'Donnell, First Assistant Chief Barker of the Variety Clubs of America.

Climax of the evening was when Jenkins presented the Berry Schools of Rome, Ga., with a check for $1,000 as a tribute from Variety Clubs of America to Miss Martha Berry, founder of the institution. Miss Berry was given Variety's Humanitarian award for 1940 at the annual convention held last Spring in Dallas.

Other officers inducted into 1941 office were Henry G. Ballance, assistant chief barker; Charles E. Kessnick, 2d asst. chief barker; Robert B. Wiley, dough guy; Egbert E. Whitaker, property master; and the following directors: John Ezell, R. L. McCoy, Paul S. Wilson, Dave Prince, J. F. Kirby and Willis J. Darvis.

St. L. Variety's Polio Drive

St. Louis, Feb. 4.

A five-year program to raise $250,000 through entertainment and benefit shows for the Midwest Polio Assn. to erect a building for the organization has begun and the local Variety Club has pledged its assistance. The assn., whose membership consists of victims of infantile paralysis would be the sole beneficiary of the club's charities. Louis K. Ansell of the Ansell Bros. Circuit of Theatres, Clarence D. Hill, head of the local Columbia Pictures branch, and Fred H. Wahrenberg, president of the MPTOA of Eastern Missouri and Southern Illinois, and head of his chain of local nabes, will represent St. Louis.

The first benefit for the organization under the new policy will be presented at the Fox at a midnight show, March 29.

New Bill Asks Repeal Of Wash. State Blue Law

Seattle, Feb. 4.

Repeal of the blue law statute in this state, which was enacted in 1909, is sought in a bill by Representative Charles Todd, introduced in the legislature last week.

The old law makes baseBall, theatres, sale of beer and wine illegal on Sundays.

Schenck Deal

Continued from page 5

depreciation and other building depreciation.

Additionally the contract gives Schenck an extension of existing option to buy 48,492 shares at the same price of $40, or as much of this total as has not been picked up under the old option which expires March 1, 1942. Purchases are required at the rate of one-fifth per year, with all options expiring March 1, 1947.

Proxy statement also mentions that the aggregate amount of remuneration payable during the last fiscal year by the company or subsids to officers and directors of Loew's for services in all capacities totals $2,220,730.30.

Twelve directors are to be elected by the stockholders, the nominees being the present directorate. They are George A. Armsby, David Bernstein, Leopold Friedman, John R. Hazel, Alexander Lichtman, Charles C. Moskowitz, William A. Parker, J. Robert Rubin, Nicholas M. Schenck, Joseph R. Vogel, David Warfield and Henry Rogers Winthrop.

Harry Royster to G. M. Netco Circuit For Par; Theatre-Exchange News

Partially decentralized about six months ago, with several of the theatres in the chain thrown into pools, the Netco circuit of Paramount theatres in upstate New York will be operated from Poughkeepsie starting March 1 by Harry Royster, with Harold Greenberg in charge of buying.

At present executive assistant at the Paramount home office to Leonard Goldenson and Sam Dembow, Jr., operating heads, Royster will make headquarters in Poughkeepsie, carrying the title of general manager of the circuit. He also will act as Par's representative in connection with pools under which others handle operation, including Schine Bros. over Glens Falls, Si Fabian, who has the three Middletown, N. Y., houses, and Gene Levy, operator of the four theatres in Newburgh. Other houses in Par's Netco circuit include four in Poughkeepsie and two in Peekskill, plus theatres which are grouped in RKO pools in Rochester and Yonkers. The Royster appointment will have no effect on the state of the various pools.

For about eight years George Walsh, veteran operator, was in charge of the Netco circuit, but resigned when its size was reduced through pools. He is personally interested in the Strand, Yonkers.

Since Walsh stepped out, the management of the Netco theatres was directed from New York, with Greenberg making headquarters at the Par h.o. on buying. He was formerly with Walsh on the buying-booking of film. In addition to buying, Greenberg will act as assistant to Royster. Latter, with Paramount many years in theatre operation, and on commercial film matters, was formerly district manager for the company over the Rochester region.

Eddie Hyman, in charge of film buying for Paramount's Detroit chain of theatres and operating assistant to Earl J. Hudson, who's in charge of the houses, comes into the Par h.o. March 1 to succeed Royster as executive aide to Leonard Goldenson and Sam Dembow, Jr.

Sam Shirley Pinchhitting

Chicago, Feb. 4.

Metro has brought Sam Shirley out of retirement to take temporary charge of the local office while W. E. (Doc) Banford recoups in the St. Luke's hospital from a serious illness.

Banford has been in and out of the hospital several times during the past year, has undergone a couple of operations and has had several blood transfusions.

Keichum Back to Okla.

Glens Falls, N. Y., Feb. 4.

Paul Ketchum, manager of Schine's Paramount since last September, resigned to return to his home in Oklahoma City where he will engage in the theatre business for himself. Succeeded by George Cameron of Geneva.

Fete Sweigert and Smith

Philadelphia, Feb. 4.

Film men throw a party Feb. 21 for Earle Sweigert and Ulrik Smith. Sweigert was recently moved up from Paramount exchange manager to boss the district including Philly, Pittsburgh and Washington areas. Smith, who was Paramount sales manager, moved into Sweigert's spot.

William Karrer, president of Motion Picture Associates (lesmen) announced that the group has taken out $500 policies for each of the 105 members.

Mike Lessy, retired exhib, headed for Florida via auto.

Edgar Moss, 20th-Century exchange head, partyed exhibitors at his new Bala-Cynwyd home.

Joseph Conway, operator of the Egyptian, Bala-Cynwyd, forming a corporation to take over two more houses in the area and build a third.

N. Y. RKO Meet on Drive

Meeting was held yesterday morning (Tues.) at the RKO New York exchange, where Bob Wolff is in charge to discuss the Ned Depinet sales drive which started last week.

Leo Devaney, Canadian sales manager of the company, who is captain of the sales push and has been touring the field, attended together with Harry Gittleson, who accompanied him on his advance tour. Andy Smith, h.o. sales manager; Bob Mochrie, eastern division manager, and Harry Michalson, shorts sales head, also attended session.

Globe, A. C., Sale

Atlantic City, Feb. 4.

One half interest in Globe theatre building on Boardwalk was bought in by John C. Bell, Jr., secretary of banking of Pennsylvania as receiver of closed Central Trust & Saving Co. of Philadelphia. Lively bidding featured sale Friday (31) by Sheriff A. H. Johnson and brought the price up to $1,700. Unsuccessful bidder was M. J. Rosenthal of Philly, who represented unidentified client.

Purchaser, represented by Grover C. Richman, Jr., Camden attorney, is holder of second mortgage foreclosure decree of $78,112 against Alexander Seltzer, of Philadelphia, former owner of 50%. Other one-half interest is held by estate of Samuel Seltzer, deceased brother.

Sale was subject to unpaid city taxes of $4,504, a first mortgage of $175,000 covering the entire property and unpaid interest of $3,168.

Globe has been only burlesk house here for several years.

Re-elect Ernest Schwartz

Cleveland, Feb. 4.

Ernest Schwartz reelected prez of the Cleveland Motion Picture Exhibitors Association, with George W. Erdmann named secretary and L. G. Baldwin treasurer.

Board of directors: John D. Kalafat and Henry Greenberger, three-year terms; Myer S. Fine and Percy E. Essick, two-year terms, and Morris Berkowitz, Jack Shulman and Theodore Vernes, one year.

Roth's Acquisition

Omaha, Feb. 4.

Mike Roth, for some years exploiteer in this territory for Columbia out of Kansas City, Mo., and later salesman with National Screen Service, has purchased the Anita theatre Anita, Ia., 70 miles east of town. Has 250 seats in town of 1,000.

Schine Promotes Sliter

Gloversville, N. Y., Feb. 4.

Supervision of Schine theatres in the Mohawk Valley district has been placed under Harold F. Sliter, head of the Schine publicity department here for a number of years. Sliter is to have charge of theatre operations in Amsterdam, Gloversville, Herkimer, Ilion, Little Falls and other valley communities.

A change in the management of the Clove switches Herbert Jennings to the Colonial, Norwich.

Del Goodman to Canada

Del Goodman, appointed general manager of distribution for Paramount in Canada, left Friday (31) for Toronto, where he will make headquarters succeeding M. A. Milligan, resigned. For many years with 20th-Fox in foreign sales, last in Japan, Goodman has been in the Par h.o. for two years supervising Pete routine.

George Smith, district manager for Par on the Pacific coast, who has been promoted to the post of western division sales manager, is due east by the end of the week. He will make headquarters at the home office. Smith is a brother of A. W. Smith, Jr., sales manager for RKO.

Sign Erector Injured

Reading, Pa., Feb. 4.

While working on a new marquee at the reconstructed Arcadia theatre here, Elwood Barr, 50, employe of the Elizabethtown, Pa., Sign Co., fell 12 feet to the sidewalk, fracturing his skull. Injury caused death in an hour.

Arcadia, renamed the Ritz, was leased recently by Wilmer & Vincent It had been closed during most of the past year, but was renovated and reseated at a cost of $20,000. Reopens Feb. 7.

Warner interests, which will take over the State this week, will spend $75,000 reconstructing it. The Warners and the W-V interests jointly hold the State on a lease from the John B. Knorr estate. The Warners' lease on the 3,500 seat Astor, across the street, expires on May 1 and has not been renewed.

RAF Pilot, Ex-Mgr., 'Missing'

Saskatoon, Sask., Feb. 4.

One-time manager of the Ritz theatre, Saskatoon, which his father owned, Lieut. Donald Hoar, who went to England in 1936 to join the Royal Air Force, has been reported missing after action with the fleet air arm in which he served. News that he was 'missing in action' was received by his parents, Mr. and Mrs. C. M. Hoar, residents of Calgary.

St. Louis Activity

St. Louis, Feb. 4.

Walter Thimmig, owner of the McNair, South St. Louis nabe, has earmarked $7,000 for face lifting of the house.

The War Dept. will erect a 1,038-seater at Ft. Knox, Tenn. Project will cost $50,879.

The Frisina Amus. Co., Taylorville and Springfield, Ill., has added the 800-seater Liberty and 450-seater Rex in Mexico, Mo., to its circuit now operating in Missouri, Iowa and Illinois. The same organization has let a contract for a

(Continued on page 22)

Femme-Appeal Bolsters Chi Films; 'Thing'-Niesen $35,000, 'Philly' 2d 18G, 'Flight' $16,000, 'Kitty' Fine

Chicago, Feb. 4.

Trade continues at a healthy pace in the downtown sector with certain films, appealing primarily to the distaffers, exhibiting remarkable magnetism at the pay window. This goes in spades for Kitty Foyle' and 'Philadelphia Story.' 'Foyle' is nicely in its fifth week in the Palace and demonstrates no haste to be gone.

'Philly' is another high winner, but doesn't figure for the staying power of the Ginger Rogers picture. Is in the United Artists and getting surge of trade, but doesn't look like the six or seven weeks that 'Foyle' will pull.

Chicago has 'This Thing Called Love' and the femmes are indicating a readiness to peek here, too. It's being sold as close to the stove as possible to compete with the selling angles of 'Philly' and 'Foyle.'

Sally Rand is the top-biller in the State-Lake and the gal comes back to the town where she started and demonstrates that she still is considerable power on the boxoffice uptake.

Estimates for This Week

Apollo (B&K) (1,200; 35-55-65-75)—'Son Cristo' (UA). Will manage to sneak through to an average session at $6,000. Last week 'Comrade X' (M-G) wound up its fourth week in the loop to fair $4,100.

Chicago (B&K) (4,000; 35-55-75)—'Thing Called Love' (Col) and stage show, Gertrude Niesen headlining. Combination looks for maybe $35,000, okay. Last week 'Second Chorus' (Par) and 'Folies Bergere' unit on stage, managed neat $36,300.

Garrick (B&K) (900; 35-55-65-75)—'Second Chorus' (Par). Moved here from the Chicago and will take $3,500, fair enough. Last week 'Santa Fe' (WB), snagged $4,300, all right.

Oriental (Jones) (3,200; 28-44)—'Red Hair' (WB) and vaude. Larry Adler holds over to headline the show. Combination satisfactory at $14,000. Last week 'Ellery Queen' (Col) with Mitzi Green, Larry Adler and Bob Zurke on stage attracted happy $17,700.

Palace (RKO) (2,500; 35-44-66)—'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) (5th wk). Holding to brilliant $11,000 currently after snapping up a powerful $13,800 on fourth stanza.

Roosevelt (B&K) (1,500; 35-55-65-75)—'Flight Command' (M-G). Looks for a money stay, not only in loop, but also in the subsequents. Got away to bang-up start, and headed for $16,000, smacking. Last week 'Hudson's Bay' (20th) lasted only a single session to meek $6,600.

State-Lake (B&K) (2,700; 28-44)—'Escape Glory' (Col) and vaude, Sally Rand and Jackie Heller headlining. Both are strong local favorites and are doing much for the wicket. Biz is solid at $18,000. Last week 'Earl Carroll' (Par) and Cab Calloway orchestra, fine at $17,200.

United Artists (B&K-M-G) (1,700; 35-55-65-75) — 'Philadelphia' (M-G) (2d wk). Has been a dynamite entry and galloping to high money marks. Going to bright $18,000 currently, after pocketing zooming $21,800 last week.

Newman (Paramount) (1,900; 10-28-44) — 'Victory' (Par). Slow at $5,200. Last week, 'Second Chorus' (Par), good $7,000.

Orpheum (RKO) (1,500; 10-28-44)—'Santa Fe Trail' (WB) and 'Couldn't Say No' (WB) (2d wk). Original week was buxom at $9,500, and second week is sturdy at $6,800. Goes a third week.

Tower (Joffee) (2,110; 10-30)—'Bank Dick' (U) and vaude. Fields name bringing in some new patrons here and biz okay for $6,900. Last week, 'Madame LaZonga' (U) and vaude headed by Tirza, nudie, better than average $6,700.

ABBOTT-COSTELLO RUN TO $6,600 IN OK K. C.

Kansas City, Feb. 4.

'Gone with the Wind,' at the Midland, and 'Santa Fe Trail,' at the Orpheum, are holdovers this week. Both gave their respective houses big first weeks, both are riding strongly on second week dates, and 'Santa Fe' holds for a third week. This has been accomplished in weather that has been unpleasant though not severe.

The incoming films are most heavily on the comedy side, with W. C. Fields' 'Bank Dick' at the Tower, and 'Buck Privates' at the Fox-Midwest's Esquire and Uptown. The Abbott-Costello film took it easy on opening but word-of-mouth got around and it's perking.

Inroads into show revenue this week coming from the President's birthday ball at the auditorium on Saturday (1) with 10,000 attendees at 50c per head, the Merchants spring style show with Ted Lewis and crew as the attraction, and some minor one-day affairs.

Estimates for This Week

Esquire and Uptown (Fox Midwest) (820 and 2,043; 10-28-44)—'Buck Privates' (U). Word-of-mouth boosting this solo to $6,600, combo, over average. Last week, 'Tall and Handsome' (20th), $5,500, light.

Midland (Loew's) (4,101; 25-40-56)—'Gone' (M-G) (2d—final wk.). Still the big breeze and second week looks for fine $15,000. First week it early asserted its strength and

'FLIGHT' SOLID 20G, BOSTON FINE

Boston, Feb. 4.

Even though one music critic complained of a 'vertical interpretation of a horizontal counterpoint,' the first nine performances of 'Fantasia' sold out, and the second stanza was practically solid by last weekend. Two other films are also blasting away at records: 'Kitty Foyle,' now in its fifth week at the Memorial; and 'Gone with the Wind' entering third socko frame at the Orpheum. 'Gone' has already played the equivalent of three and a half weeks at pop prices because the State ran it day and date with the Orph for first 10 days. 'Flight Command' is drawing hefty trade now at the State.

'Kitty Foyle' has a chance of going a sixth week, breaking the house run record at the Memorial. Local press gave 'Fantasia' most impressive recognition of any film here in recent history, including 'Gone' last year. Coverage was terrific with most sheets carrying three and four reviews and stories on the opening (28).

Estimates for This Week

Boston (RKO) (3,200; 28-33-44-55)—'Aunt Maggie?' (Rep) and 'Along Rio Grande' (RKO) with vaude bill headed by Fenton Bros. band, four days; and 'Grapes Wrath' (20th) and 'Stanley Livingstone' (20th) (both reissues), three days. Expected to hit $8,000, good. Last week, 'Misbehaving Husbands' (PRC) and 'Out of Luck' (Mono), with vaude topped by Minevitch Rascals, four days; and 'Bowery Boy' (Rep) (1st run) and 'Escape Glory' (Col) (2d run), with seven acts of vaude and local radio talent, three days, $10,500, satisfactory.

Fenway (M&P) (1,332; 28-39-44-55)—'Honeymoon Three' (WB) and 'Behind News' (Rep). Lucky to hit $4,000, weak. Last week, 'Go West' (M-G) and 'Haunted Honeymoon' (M-G), $6,000, good.

Keith Memorial (RKO) (2,907; 28-39-44-55)—'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) (5th wk). Aiming at nifty $15,000. Fourth week, strong $16,500.

Majestic (Shubert) (1,014; 75-$1.10-$1.65)—'Fantasia' (Disney). Running at smash hit pace in second week to $15,500, capacity. Initial stanza (nine shows) $10,300, solid.

Metropolitan (M&P) (4,367; 28-39-44-55)—'High Sierra' (WB) and 'Father's Son' (WB). Mediocre $14,000. Last week, 'Victory' (Par) and 'Henry' (Par), worse, $12,500.

Orpheum (Loew) (2,900; 44-55)—'Gone' (M-G) (3d wk). Will wham in $28,000 easily. Last week (2d) kept the house full, plus standees practically all day and night, adding up to smash $32,300.

Paramount (M&P) (1,797; 28-39-44-55) — 'Honeymoon Three' (WB) and 'Behind News' (Rep). Skidding to $6,000. Last week, 'Go West' (M-G) and 'Haunted Honeymoon' (M-G), $7,200, good.

Scollay (M&P) (2,538; 28-39-44-50)—'Second Chorus' (Par) (3d run) and 'Bagdad' (UA) (2d run). Adequate $4,500 indicated. Last week, 'Santa Fe' (WB) and 'Earl Carroll's' (Par) (both continued from 2d run at Par and Fenway), $5,600.

State (Loew) (3,600; 28-39-44-55)—'Flight Command' (M-G) and 'Keeping Company' (M-G). Heading for sturdy $20,000. Last week, 'Gone' (M-G), holdover for three days; and 'Flight Command' and 'Keeping Company,' four days, $16,000, big.

First Runs on Broadway

(Subject to Change)

Week of Feb. 6

Astor—'Great Dictator' (UA) (17th wk).

Broadway—'Fantasia' (Disney) (13th wk).

Capitol—'Gone with the Wind' (M-G) (3d wk).

Criterion—'Life with Henry' (Par).
(Reviewed in VARIETY, Jan. 22)

Globe — 'Night Train' (20th) (7th wk).

Music Hall—'Arizona' (Col).
(Reviewed in VARIETY, Nov. 20)

Paramount — 'Virginia' (Par) (2d wk).

Rialto—'Face Behind the Mask' (Col).

Rivoli—'Kitty Foyle' (RKO) (5th wk).

Roxy—'Western Union' (20th).
(Reviewed in Current Issue)

Strand — 'Honeymoon for Three' (WB) (7).

Week of Feb. 13

Astor—'Great Dictator' (UA) (18th wk).

Broadway—'Fantasia' (Disney) (14th wk).

Capitol—'Gone with the Wind' (M-G) (4th wk).

Criterion—'Maisie Was a Lady' (M-G).
(Reviewed in VARIETY, Jan. 15)

Globe—'Night Train' (20th) (8th wk).

Music Hall — 'Arizona' (Col) (2d wk).

Rialto—'Dangerous Game' (U).

Rivoli—'Back Street' (U) (11).

Roxy—'Western Union' (20th) (2d wk).

Strand — 'Honeymoon for Three' (WB) (2d wk).

'CRISTO'-'FOLIES' $28,000 IN DETROIT

Detroit, Feb. 4.

With four of the five downtown houses here shooting in fresh bills, biz is going to be okay despite measles and flu epidemic which has knocked off an estimated 10% in the nabes.

Detroit has been running along with plentiful switchovers this winter, but this week wiped the slate clean with nothing lingering but 'Philadelphia Story' and 'Maisie Was a Lady,' still perky in its fourth week and due to go a fifth at the United Artists.

Michigan will hustle up to the top with better than $28,000 for its 'Folies Bergere' on the stage and 'Son of Monte Cristo' on the screen. House ran off a special midnight show of its stage lure, coupled with a 'preview' of 'Virginia' at boosted prices of $1.10 and 85 cents, which will kick up its gross a good $3,000.

Fox is moving along briskly with 'This Thing Called Love' and 'Night Train,' while the two usual switchover houses have also come up with new duos. Palms-State is showing strength with 'Here Comes the Navy' and 'South of Suez,' while the Adams will hit above average, despite the sickness in town, with 'Invisible Woman' and 'Romance of the Rio Grande.'

Estimates for This Week

Adams (Balaban) (1,700; 30-40-55)—'Invisible Woman' (U) and 'Romance Rio Grande' (20th). Looks for strong $7,000. Last week 'Arizona' (Col) and 'Where Get Girl' (U), former in second week after one at Fox, good $6,000.

Fox (Fox-Michigan) (5,000; 30-40-55)—'Thing Called Love' (Col) and 'Night Train' (20th). Moving all right with $17,000 indicated. Last week 'Chad Hanna' (20th) and 'Tall, Dark' (20th), came out with fair $15,000, despite poor weather on weekend.

Michigan (United Detroit) (4,000; 30-40-55)—'Sat. midnight at $1.10 and 85c)—'Son Cristo' (UA) and 'Folies Bergere' on stage. Going strong and with added take from special show will do a big $28,000, despite panning by crix. Last week 'Come Love' (M-G) and 'Tugboat Annie' (WB), so-so $14,000.

Palms-State (United Detroit) (3,000; 30-40-55)—'Here Comes Navy' (WB) (re-issue) and 'South Suez' (WB) Looks like nice $9,000. Last week 'Flight Command' (M-G) and 'Keeping Company' (M-G), moved over from Michigan, okay $9,000.

United Artists (United Detroit) (2,000; 30-40-55)—'Philadelphia' (M-G) and 'Maisie' (M-G) (4th wk). Added another nice $7,000 to preceding big weeks and goes for a fifth session.

10 of 11 B'way 1st Runs Have H.O.s; 'Va.'-Miller Smash $60,000, 'Tall', 2d, 45G, 'X'-Barton 28G, Katy's 6th, 80G

(Best Exploitation: Paramount)

They can't blame Broadway for not giving pictures extended playing time, nor can the distribs have any complaint with the results at the boxoffice.

Actually, there is only one theatre among the 11 first-runs in midtown Manhattan that's still in a first week and that's the little Rialto. Houses having holdovers include the Music Hall, Capitol, Roxy, Strand, Rivoli, Globe, Broadway, Astor, and, for good measure, the Paramount slides into that column today. Criterion is ruled out—and that also goes for the spineless business done with 'Land of Liberty,' which took a walk last night (Tues.)—with house taking its chances on 'Life with Henry' starting today (Wed.).

'Virginia' is the film attraction at the Paramount, while Glenn Miller, Cass Daley and Dean Murphy are there in person. Show ended its first week last night (Tues.) at a very cocky $60,000. This included the special opening Tuesday night (28), with most of the house sold out at regular scale to the Maple Leaf Fund.

Metro's first love may be its own Capitol, where 'Gone' is packing 'em in, but gossip is that it has much warm affection for Rockefeller's Music Hall. If the company's accounts in this section weren't crying for 'Philadelphia Story,' almost breaking Metro's heart, the picture would be staying a seventh week at the Hall. 'Arizona,' which was bought months ago, is also getting gray waiting to get into the theatre.

Now on its sixth week, the Kate Hepburn comedy will come up with a virile $80,000. For the benefit of the statisticians (and the Metro bookers including that demon on dating, Virginia Aaron), the total on the 42-day engagement will be around $590,000. This means more than 850,000 persons. 'Rebecca,' only other picture to go six weeks at the M.H., grossed $522,500.

Coming to the Cap with the wind, snow and cold weather, plus unlatched pocketbooks, are those who're sweating the cashiers and ushers over 'Gone.' Leaping through on the first week to nearly $55,000 at the pop prices now in effect, on the holdover the b.o. statement, again to Metro's delight, should show about $48,000. The third week starts tomorrow (Thurs.).

That sleeper which turned out to be a Seabiscuit, 'Tall, Dark and Handsome,' is making the minutes count at the Roxy. Pounding past the wire on the first week to pay off in telephone numbers at $52,500, it will get $45,000 on the second heat, which ends tonight (Wed.). But for the anxiety of 20th-Fox to get 'Western Union' rolling, with this one coming in tomorrow (Thurs.), 'Tall' would be held further.

'High Sierra' is at a good altitude on a chance to top $33,000 this week (2d), but will not go beyond a fortnight. Henry Busse and Quentin Reynolds are on the stage. First week was $40,500, very romantic. 'Honeymoon for Three' and Ray Noble open Friday (7).

Because of the steady, highly profitable take it is registering, 'Night Train' will go a seventh round at the Globe. It will get $8,000 or over this week (6th), only $200 behind the fifth.

State, with the second-run 'Comrade X' and vaudeville, including Jim Barton, Kitty Carlisle and Dixie Dunbar, is climbing back into high society with a gross of $28,000, or better, which is fine feathers.

Estimates for This Week

Astor (1,012; 75-85-$1.10-$1.65-$2.20)—'Dictator' (UA) (17th week). Last week (16th) reported at $13,000, still a reasonable profit.

Broadway (1,895; 55-75-$1.10-$1.65-$2.20) — 'Fantasia' (Disney) (13th week). Holding up firmly, last week (12th) getting $22,600. Prices were cut in half for kids starting Monday (3) and effective Saturday (8) an extra matinee will be given that day and Sunday.

Capitol (4,520; 40-55-85-$1.10-$1.25)—'Gone' (M-G) (2d week). Very steady roll of the ticket rolls will mean about $48,000 this week, following first seven days of near to $55,000, which is virtually sardining 'em on a turnover of only four shows daily.

Criterion (1,662; 28-44-55-65)—'Life with Henry' (Par). Arrives today (Wed.) following a week of 'Land of Liberty' (M-G), which failed to show any strength at less than $6,000. Last week, 'Earl Carroll's' (Par) only $5,500.

Globe (1,180; 28-35-55-85)—'Night Train' (20th) (6th week). Whistling its way along at good speed, $8,000 or a bit better this week. Last stanza (5th) was $8,200. Goes around another bend for a seventh week.

Palace (1,700; 20-35-55)—'Hudson's Bay' (20th) (2d run) and 'Play Girl' (RKO) (1st run), doubled. Moving sluggishly, only about $7,000. The same was all that 'Santa Fe' (WB) (2d run) and 'Let's Make Music' (RKO) (1st run) could entice on eight days.

Paramount (3,664; 35-55-85-99)—'Virginia' (Par) and Glenn Miller, Cass Daley, Dean Murphy, others (2d week). Begins second week on 21-day run scheduled today (Wed.). They like this show a lot; $60,000 came to roost on the first 7½ days ending last night (Tues.), this including the sellout preem Tuesday night (28). In ahead, final 6½ days of 'Second Chorus' (Par) and Harry James was $35,000, very good; first week, $49,000.

Radio City Music Hall (5,960; 44-55-85-99-$1.65)—'Philadelphia' (M-G) and stage show (6th-final week). A phenomenon no less at the b.o.; this week (6th), the last, will be $80,000, muscular. Last week (5th) was $85,000. 'Arizona' (Col) brings a change of scene tomorrow (Thurs.).

Rialto (750; 28-44-55)—'Saint in Palm Springs' (RKO). Maybe $6,500, fair enough. Last week, 'Pride of Bowery' (Mono), $6,000.

Rivoli (2,092; 35-55-75-99)—'Kitty Foyle' (5th week). Will go a fifth week on strength of good wind, with 'Back Street' (U) set for Tuesday (11), on the fourth lap, concluded last night (Tues.), $20,000. The third week was $25,000.

Roxy (5,835; 35-55-65-75-85)—'Tall, Dark' (20th) and stage show (2d-final week). No indication of tiring and should get $45,000, extra fine, this week, after hitting $52,500 the first seven days, big dividends to theatre and distributor. 'Western Union' (20th) is the new dish tomorrow (Thurs.).

State (3,400; 28-44-55-75-90-$1.10)—'Comrade X' (M-G) (2d run) and Jim Barton, Kitty Carlisle, Dixie Dunbar, others, in person. Al Rosen is counting plenty of coin this week, no less than about $28,000. Last week, 'Love Neighbor' (Par) (2d run) and Ray Kinney-Adelaide Moffett on stage, $18,000, limpy.

Strand (2,767; 35-55-75-85-99)—'High Sierra' (WB) and Henry Busse, plus Quentin Reynolds (2d-final week). The gross doesn't quite look like the national debt but it's very good at $40,500 the first week and $33,000 or bit stronger on the holdover. 'Honeymoon for Three' and Ray Noble take their turn Friday (8).

'WYO. WILDCAT'—VAUDE $7,000, PROV. STEADY

Providence, Feb. 4.

Grosses are fairly strong all around. 'Gone With the Wind' in second week at Loew's State, and 'Kitty Foyle' in its fifth week at the RKO Albee are beginning to look like permanent fixtures. Trio of Powers Models on stage at Fay's building nicely, with 'Wyoming Wildcat' on the screen.

Estimates for This Week

Albee (RKO) (2,200; 28-39-50)—'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) (5th wk). Doing phenomenal biz with hefty $5,800 expected. Did same in fourth round.

Carlton (Fay-Loew) (1,400; 28-39-50)—'High Sierra' (WB) and 'Black Parrot' (WB) (2d run). Proving fairly steady with good $3,200. Last week 'Flight Command' (M-G) and 'Keeping Company' (M-G) (2d run), nice $3,500.

Fay's (Indie) (2,000; 25-35)—'Wyoming Wildcat' (Rep) and trio of Powers Singing Models heading stage show. Getting hefty play with weekend turnaway biz. Spotted for swell $7,000. Last week 'Riding Rainbow' (Rep) and vaude, okay $6,500.

Majestic (Fay) (2,200; 28-39-50)—'Honeymoon Three' (WB) and 'Romance Rio Grande' (20th). Paced at steady $7,500. Last week 'High Sierra' (WB) and 'Black Parrot' (WB), slipped slightly for fair $7,800.

State (Loew) (3,200; 25-40-55)—'Gone' (M-G) (2d wk). Still strong and stepping alone to nice $13,000. Last week knocked off zippy $20,400.

Strand (Indie) (2,000; 28-40-50)—'You're the One' (Par) and 'Behind News' (Rep). Not too strong, but in for steady $6,000. Last week 'Thing Called Love' (Col) and 'Master Detective' (Col), swift $8,500.

WB Restores Morris

Hollywood, Feb. 4.

Warners restored Wayne Morris to the salary list and cast him in one of the top roles in 'Mother's Boys,' a story dealing with the draft. Ben Stoloff directs.

Other tops are Arthur Kennedy and William Orr.

Fresh Flu Wave Hits Frisco Biz; 'Tall, Dark' Mild 9G, 'Voyage' $8,500

San Francisco, Feb. 4.

Things pretty spotty this week, with a new flu epidemic not helping. Also plenty of competish from sell-out performances of 'Ballet Russe,' 'Maid in Ozarks,' etc. Only new films of importance is 'Long Voyage Home' at United Artists, which drew raves, but not the biz expected. 'Kitty Foyle' stays on at the Gate and 'Thing Called Love' remains a fourth stanza at Orpheum.

Estimates for This Week

Fox (F-WC) (5,000; 35-40-50) — 'Philadelphia' (M-G) and 'Jennie' (20th) (2d wk). Word-of-mouth rolling up fine $14,000. First week better than anticipated at $23,000.

Golden Gate (RKO) (2,850; 39-44-55)—'Kitty Foyle' (RKO) and vaude (2d wk). Should get $14,500 on holdover, very good. First week, terrific $21,000.

Orpheum (F&M) (2,440; 35-40-50)—'Thing Called Love' (Col) and 'Ellery Queen' (Col) (4th wk). Possibly $6,000, after record third week which got close to $9,000.

Paramount (Par) (2,470; 35-40-50)—'Tall, Dark' (20th) and 'Keeping Company' (M-G). No more than tepid $9,000. Last week, 'Four Mothers' (WB) and 'Couldn't Say No' (WB), $7,500 in 8 g.

St. Francis (F-WC) (1,475; 35-40-50)— 'Comrade X' (M-G) and 'Romance Rio Grande' (20th) (2d move-over wk). Holding about even at $5,000; slightly under last week.

United Artists (Cohen) (1,200; 35-40-50) — 'Long Voyage' (UA). Not getting the matinee trade, but evenings strong for good $8,500. Last week, 'Captain Caution' (UA) rather cash at $7,000.

Warfield (F-WC) (2,680; 35-40-50) —'Maisie Lady' (M-G) and 'Night Train' (20th). 'Maisie' billed ahead of the British film, although latter is getting the critical raves. However, whole thing rather sad at only $10,000. Last (2d) week of 'Victory' (Par) and 'Black Parrot' (WB), not so hot either at $6,500.

'LIVE' GREAT $6,000 PORT.; 'MOTHERS' DITTO

Portland, Ore., Feb. 4.

Only two new openers at major houses this week, with 'Four Mothers' doing weak biz the Orpheum and 'Come Live with Me' raking in at the United Artists.

'Santa Fe Trail' still holding its own in a second stanza at the Broadway.

Estimates for This Week

Broadway (Parker) (2,000; 35-40-50)—'Santa Fe' (WB) and 'Couldn't Say No' (WB). Second week holding up to good $5,000. First went over the top for $8,000.

Mayfair (Parker-Evergreen) (1,500; 35-40-50)—'Bagdad' (UA) and 'Captain Caution' (UA). Fourth week still okay $2,900. Third week was above average for this spot, $3,500.

Orpheum (Hamrick-Evergreen) (1,800; 35-40-50) — 'Four Mothers' (WB) and 'Charter Pilot' (20th) with vaude. In line for strong $6,000. Last week, 'Nanette' (RKO) and 'Street Memories' (20th) with vaude, well received to score a high $7,300.

Paramount (Hamrick-Evergreen) (3,000; 35-40-50) — 'Thing Called Love' (Col) and 'Angels Broadway' (Col). Third week for 'Love' and still holding up to nice $4,500. Second week, with 'Ellery Queen' (Col), great $7,000.

United Artists (Parker) (1,000; 35-40-50)—'Live with Me' (M-G) and 'Maisie Lady' (M-G). Opened ahead of schedule and looks like great $6,000. Last week, 'Bank Dick' (U) and 'Invisible Woman' (U) pulled after four days, poor $2,300.

'HUDSON' 8G, MONTREAL

'Nanette' $6,500 — Grosses Cut by Counter-Attractions

Montreal, Feb. 4.

Heavy counter-attraction in Ice Follies at Forum current week-end emptied picture clients' pockets and is cutting down grosses currently. Ballet Russe at His Majesty's all week is another drain on picture purses. Standout for the week is 'Hudson's Bay,' which is on the way to a good $8,000. No. No Nanette' is the runner-up, with 'Victory' next in line.

Estimates for This Week

Palace (CT) (2,700; 25-45-55)—'Nanette' (RKO). Pacing for good $6,500. Last week, 'Flight Command' (M-G), cut to good $7,000 by sub-zero weather.

Capitol (CT) (2,700; 25-45-55) — 'Victory' (Par) and 'Henry' (Par). Likely $5,500. Last week, 'Four Mothers' (WB) and 'Black Parrot' (WB), so-so $4,800.

Loew's (CT) (2,800; 30-40-60) — 'Hudson's Bay' (20th). Best of week, and may gross good $8,000. Last week, 'Comrade X' (M-G) repeat, good $5,500.

Princess (CT) (2,200; 25-34-50) — 'Little Men' (RKO) and 'Make Music' (RKO). Weak $3,000. Last week, 'South Suez' (WB) and 'Couldn't Say No' (WB), poor $2,800.

Orpheum (Ind) (1,100; 25-40-50)— 'Night Tropics' (U) and 'Meet Wildcat' (U). Fair $3,200 probable. Last week, 'Bagdad' (UA) (5th wk), down at $2,500.

Cinema de Paris (France-Film) (600; 25-50)—'L'Emigrante' (3d wk). Won't touch $1,000 after good $1,100 last week.

St. Denis (France-Film) (2,300; 25-34)—'Marseilles Mes Amours' and 'Derriere la Facade.' This house taking pre-Lent spurt with good $6,000 in sight. Last week, 'Lingot et Cie' and 'Quartier Latin,' very good $6,500.

VA.'-VAUDE FINE $23,500, D.C. STRONG

Washington, Feb. 4.

All big houses get credit for eight days this week opening on Thursday to get in midnight shows that night, when the President's Birthday Ball was in progress. All got great results from extra runs, and show no serious letdown after the doings are over.

'Virginia,' at the Earle, Warner house with short, snappy vaude, is packing 'em in, and happy because Stirling Hayden, star of the film, came in week or so before the ball and gave film big boost. Carolyn Lee, in the film, came for the ball, and still here in hospital with bronchitis, getting good play in papers.

Estimates for This Week

Capitol (Loew) (3,434; 28-39-44-66) —'Second Chorus' (Par) and vaude, with Hal LeRoy. Getting excellent $18,000. Last week 'Maisie' (M-G) went home to solid $21,000.

Columbia (Loew) (1,234; 28-44)— 'Hudson's Bay' (20th) (2d run) (8 days). Not too hot after previous one-week stay at Capitol. Will hit $4,300. Last week 'Comrade X' (M-G) came back after two big weeks at Palace, and went over estimate to $5,500.

Earle (WB) (2,216; 28-39-44-66)— 'Virginia' and vaude (8 days). Bowling 'em over with $23,500 and 30-minute vaude. Sure to hit socko $23,500. Last week 'North West Mounted' (Par) (2d wk) and vaude, held entire bill over for six days to big $12,000.

Keith's (RKO) (1,830; 39-55)— 'Buck Privates' (U). Seven-day showing will give it only passable $6,500. Last week, last 10 days of 'Kitty Foyle' (4th wk), got excellent $10,000.

Met (WB) (1,600; 28-44)—'Northwest Mounted' (Par). Another eight-day proposition that will net $7,500. Last week 'Love Neighbor' (Par) (2d run), back after week at Earle, got average $4,100.

Palace (Loew) (2,242; 39-55)— 'Gone' (M-G) (2d wk). Pop-priced run should hold to fine $11,500. Last week, healthy $16,500.

'HUDSON'S BAY' PACES DENVER WITH $10,000

Denver, Feb. 4.

'Hudson's Bay,' coupled with 'Michael Shayne, Detective,' are garnering top coin this week. H.o. of 'Philadelphia Story' is also in a dependable bracket.

Estimates for This Week

Aladdin (Fox) (1,400; 25-40)—'Four Mothers' (WB), after a week at the Denver, and 'Here Comes Navy' (WB) (reissue), day and date with the Broadway. Nice $4,000. Last week, 'Arizona' (Col), after a week at the Denver, good $4,500.

Broadway (Fox) (1,040; 25-35-40) —'Kitty Foyle' (RKO) (2d wk) after a week at the Orpheum, and 'Here Comes Navy' (WB) (reissue), day and date with the Aladdin. Fair $2,500. Last week, 'Flight Command' (M-G) and 'Keeping Company' (M-G), after a week at the Orpheum, fair $3,000.

Denham (Cockrill) (1,750; 25-35-40)—'Victory' (Par). Poor $3,800. Last week, 'Texas Rangers' (Par), poor $3,500.

Denver (Fox) (2,525; 25-35-40)— 'Hudson's Bay' (20th) and 'Shayne, Detective' (20th). Good $10,000. Last week, 'Four Mothers' (WB) and 'Madam La Zonga' (U), fair $8,800.

Orpheum (RKO) (2,600; 25-35-40) —'Philadelphia' (M-G) (2d wk). Good $8,000. Last week, strong $14,000.

Paramount (Fox) (2,200; 25-40)— 'Escape Glory' (Col) and 'Murder New York' (20th). Good $4,500. Last week, 'Road Show' (UA) and 'Romance Rio Grande' (20th), ditto.

Rialto (Fox) (875; 25-40)—'Arizona' (Col), after a week at each the Denver and Aladdin, and 'Outsider' (Alliance). Satisfactory $2,200. Last week, 'Thing Called Love' (Col), after a week at each the Denver and Aladdin and 'Plane Robbery' (Col), fair $2,000.

'Gone' Big $25,000 In Peppy L'ville; 'Victory' 7½G, OK

Louisville, Feb. 4.

Topping all activities is 'Gone' on return at Loew's State. Prices were tilted slightly for the come-back engagement, and with the low show patrons are finding it necessary to wait a couple hours before getting into the house at all. Weather has been coolish, but no rain or snow, and ideal for patrons. Takings on first week should go to phenomenal $25,000, which will crowd the mark set on first showing about a year ago.

'High Sierra' on h.o. stanza at the Mary Anderson is continuing its excellent showing, and second week's figure should equal initial stanza.

Plenty of opposish in town Saturday (1), with Kay Kyser band at the Armory playing to 20,000 people; 'Hellzapoppin' at Memorial Aude, and a big Firemen's Ball at the Madrid Ballroom, all of which did terrific biz. Amusement spending looks to be on the upbeat and maybe some of the defense workers in this area are finally making their presence felt in a practical way at downtown b.o.'

Estimates for This Week

Brown (Loew's-Fourth Avenue) (1,400; 15-30-40)—'Bagdad' (UA) and 'Ellery Queen' (Col). Nice holding plenty good after moveover from Loew's State. Stepping along for okay $2,500. Last week, 'Flight Command' (M-G) and 'Keeping Company' (M-G), continued to make nice showing on fine moveover for $2,300.

Kentucky (Switow) (1,200; 15-25) —'Letter' (WB) and 'Earl Carroll's' (Par), split with 'South Suez' (WB) and 'Blondie Cupid' (Col). Looking for okay $1,700. Last week, 'Zorro' (UA) and 'Burma' (Par), very good $1,800.

Loew's State (Loew's) (2,100; 33-50)—'Gone' (M-G). Return to this house after last year's tremendous engagement is making terrific b.o. impact. In face of strong opposish from Kay Kyser's one-nighter Saturday (1) and legit show at Memorial Aude, as well as numerous other dances, etc., 'Gone' has turn 'em away. Aiming at terrific $25,000. Last week, 'Bagdad' (UA) and 'Ellery Queen' (Col), took slick $9,000 and moved to Brown for second stanza.

Mary Anderson (Libson) (1,000; 15-30-40)—'High Sierra' (WB) (2d wk). Sharing in the general boom at the downtown wickets, and pace gives indications of equaling first week's returns, probably fine $3,800. Last week same pic came through for excellent $4,000.

Rialto (Fourth Avenue) (3,400; 15-30-40)—'Victory' (Par) and 'Henry' (Par). Biz is likewise on the healthy side here, indicating okay $7,500. Last week, 'Second Chorus' (Par) and 'Texas Rangers' (Par) on the all right side for satisfactory $8,500.

Strand (Fourth Avenue) (1,400; 15-30-40)—'Tall, Dark' (20th) and 'Girl in News' (20th). Looks solid at $3,200. Last week, 'Bank Dick' (U) and 'Lucky Devils' (U), all right $3,000.

'Story' 4½G, 'Foreign' $4,100, Great in Lincoln

Lincoln, Neb., Feb. 4.

Money came dashing out into the open this week for two films—'Philadelphia Story,' at Lincoln, and 'Foreign Correspondent,' at Varsity. Both films are in the $4,000 class, or better, an exceptional count any week with any film here.

'Honeymoon For Three' is around the Stuart's usual average, and the rest of the town is so-so.

Estimates for This Week

Colonial (Monroe-Noble-Federer) (750; 10-15)—'Secret Valley' (20th) and 'Gaucho Serenade' (Rep), split with 'Parson Kid' (RKO) and 'Flying Deuces' (RKO). All right, $900. Last week, 'Wyoming Wildcat' (Rep) and 'Earl Puddlestone' (Rep), split with 'Tomboy' (Mono) and 'Lone Star Raiders' (Rep), fair $800.

Lincoln (J. H. Cooper-Par) (1,503; 10-25-40) — 'Philadelphia Story' (M-G). It's a humdinger and the pace solid. Will get around $4,600 and will probably go extra days. Last week, 'Son Cristo' (A1), very light $2,800.

Nebraska (J. H. Cooper-Par) (1,236; 10-20-25)—'Slightly Tempted' (U) and 'Here Comes Navy' (WB). Nice enough, $2,300. Last week, 'Next Time Love' (U) and 'Give Us Wings' (U), okay $2,000.

Stuart (J. H. Cooper-Par) (1,884; 10-25-40)—'Honeymoon Three' (WB). Will break the house about even, $3,600. Last week, 'Chad Hanna' (20th), disappointed at $2,700.

Variety (Noble-Federer) (1,100; 10-20-25)—'Face Behind Mask' (Col) and 'Bowery Boy' (Rep), split with 'Black Parrot' (WB) and 'Meet Missus' (Rep). Not bad, $1,900. Last week, 'Little Men' (RKO) and 'Saint Palm Springs' (RKO), very weak $1,100.

Varsity (Noble-Federer) (1,100; 10-25-40) — 'Foreign Correspondent' (UA). Making a fine stab for large money, around $4,100. Last week, 'Arizona' (Col), okay $3,300.

Cincy Still Slow; 'Henry'-Vaud 12G 'Smith' 11½G, OK

Cincinnati, Feb. 4.

Two of the three fresh releases currently are winners, yet their tugs are not strong enough to put combined biz on the black side. Fronting is 'Mr. and Mrs. Smith' for a good Albee mark. Grand has a blackie in 'Honeymoon for Three.' Deep under, 'Victory' is to be jerked from the Palace after sixth day.

Vaudfilm Shubert is on the high side with 'Life With Henry' and a corking variety layout headlined by Ada Leonard and her band.

Estimates for This Week

Albee (RKO) (3,300; 33-40-50) — 'Mr. and Mrs. Smith' (RKO). Good $11,500. Last week, 'Arizona' (Col), fair $9,500.

Capitol (RKO) (2,000; 33-40-50)— 'Arizona' (Col). Switched from Albee for second week. Mild $4,000. Same last week on 'Bagdad' (UA) (2d run).

Family (RKO) (1,000; 15-28) — 'Swimming Hole' (Mono) and 'Romance Rio Grande' (20th), split with 'Doomed Caravan' (Par) and 'Barnyard Follies' (Rep). Normal $2,100. Ditto last week for 'Meet Missus' (Rep) and 'Phantom Submarine' (Col), divided with 'Ape' (Mono) and 'Chamber Horrors' (Mono).

Grand (RKO) (1,430; 33-40-50) — 'Honeymoon Three' (WB). Okay $5,000. Last week, 'Road Show' (UA), season's low at $2,000.

Keith's (Libson) (1,500; 33-40-50) —'Second Chorus' (Par). Moveover from Palace for second week. Modice at $2,800. Last week, 'Thing Called Love' (Col) (2d run), socko $5,000.

Lyric (RKO) (1,400; 33-40-50) — 'Thing Called Love' (Col). Third week on main line. All right $3,200. Last week, 'Hudson's Bay' (20th) (2d run), sad $2,000.

Palace (RKO) (2,600; 33-40-50) — 'Victory' (Par). Lowest figure for this house in months; out after six days to $4,500. Last week, 'Second Chorus' (Par), very good $11,500.

Shubert (RKO) (2,150; 33-44-60)— 'Henry' (Par) and vaude topped by Ada Leonard orchestra. Good $12,000. Last week, 'Maisie Lady' (M-G) and 'International Casino' revue, fair $10,500.

'RANGERS' 22G, B'KLYN

'Mothers' Good $18,000 — 'Comrade' H.O., $17,000

Brooklyn, Feb. 4.

Brightest biz of the week at Fabian Fox displaying 'Texas Rangers Ride Again' and 'Second Chorus.' Two houses holding over are RKO Albee with 'Hudson's Bay' and 'Play Girl,' and Loew's Metropolitan with 'Comrade X' and 'Hullabaloo.'

Estimates for This Week

Albee (RKO) (3,274; 25-35-50)— 'Hudson's Bay' (20th) and 'Play Girl' (RKO) (2d wk). Good $15,000. Last week, nice $18,500.

Fox (Fabian) (4,039; 25-35-50)— 'Texas Rangers' (Par) and 'Second Chorus' (Par). Booming $22,000. Last week, 'Dancing Dime' (Par) and 'Here Comes Navy' (WB) (re-issue), fair $15,000.

Met (Loew's) (3,618; 25-35-50)— 'Comrade X' (M-G) and 'Hullabaloo' (M-G) (2d wk). Attractive $17,000. Last week, first-rate $20,000.

Paramount (Fabian) (4,128; 25-35-50)—'Four Mothers' (WB) and 'San Francisco Docks' (20th). Good $18,000. 'High Sierra' (WB) and 'Earl Carroll's' (Par) due tomorrow (Wed.). Last week 'Victory' (Par) and 'Pastor Hall' (UA) (2d wk), satisfactory $14,000.

Strand (WB) (2,870; 25-35-40)— 'Bowery Boy' (Rep) and 'Streets Cairo' (U). So-so $4,500. Last week, 'Larceny Street' (Ind) and 'Melody Ranch' (Rep), good $6,000.

Mpls. Short of Cash; Vaude Helps 'Chorus' to $17,500, 'Philly' 2d 7½G

Minneapolis, Feb. 4.

Huge entertainment bargain on tap at the Orpheum should have 'em fighting and breaking down the doors to get in. But the fact that there's no mad rush of customers seems to supply further extensive proof that this town isn't in the big league box-office class. With the Andrews Sisters headlining, and Joe Venuti and his band and the Three Stooges also in the stage show, and 'Second Chorus' on the screen, it's a whale of a buy at 55c. Of course, it's doing business, will lead the town's box-office race in a canter, and probably show the house a satisfactory profit despite its hefty cost. But the takings aren't at all commensurate with the extraordinary value provided.

This sort of murderous opposition and the St. Paul Winter Carnival, the Northwest's Mardi Gras, which is drawing plenty of Minneapolitans to the sister city, plus the flu epidemic, are making the going plenty tough for the other contenders. However, 'Philadelphia Story,' the lone hold-over, in its second week at the State after a bang-up initial seven days, is holding up well.

In 'Screwballs of 1941,' the Minnesota really has a topnotch stage show, 'Melody Ranch' is on the screen. But the opposition is too tough. As a result, starvation appears to be its undeserved fate.

'Son of Monte Cristo,' and 'Lilac Domino' also are dying on their feet. Apparently there just isn't enough profitable business to go around.

Estimates for This Week

Aster (Par-Singer) (900; 15-28)— 'Night Tropics' (U) and 'Black Parrot' (WB). Dual first-runs in for entire week. A strong line-up for this house, and may hit good $2,000. Last week, 'Dancing Dime' (Par) and 'Pier 13' (20th), dual first-runs in for five days, and 'Plane Robbery' (Col) and 'Nobody's Children' (Col), also dual first-runs playing four days, fair $1,500 for nine-day combo.

Century (Par-Singer) (1,600; 28-39-44)—'Son Cristo' (UA). Mild $3,000 indicated. Last week, 'Kitty Foyle' (RKO) (2d wk), good $4,000 after fine $6,000 first week.

Esquire (Berger) (290; 15-28)— 'College Swing' (Par) (re-issue). With Bob Hope's name played up all over front, this one is doing business. Good $900 in prospect. Last week, 'San Francisco' (M-G) (re-issue), bad $500.

Gopher (Par-Singer) (998; 28)— 'Bank Dick' (U). May reach okay $2,600. Last week, 'Texas Rangers' (Par), mild $1,800 in six days.

Minnesota (Mindlin States) (4,000; 28-39)—'Melody Ranch' (Rep) and 'Screwballs of 1941' on stage. Hampered by its title, lack of box-office names, and opposition at Orpheum, figure $8,000 looks about all. Last week, 'Behind News' (Rep) and Sally Rand unit on stage, with latter largely responsible for the $11,100, very big at scale.

Orpheum (Par-Singer) (2,800; 28-44-55)—'Second Chorus' (Par), and Andrews Sisters, Joe Venuti's orchestra, Three Stooges, etc., on stage. Probably impossible to give 'em more in entertainment for the money. Giving gray hairs to the opposition. Should stretch to $17,500, big, but under what layout merits. Last week, 'Four Mothers' (WB) and Simone Simon, Isabel Jewell, etc., on stage, $8,000, bad.

State (Par-Singer) (2,300; 28-39-44)—'Philadelphia' (M-G) (2d wk). Has taken town by storm. Holding up well in face of strong counter attractions. May reach fine $7,500. Last week, $10,100, very big.

Uptown (Par-Singer) (1,200; 28-39)—'Letter' (WB). First neighborhood showing. Good $2,700 in prospect. Last week, 'Escape' (M-G), fair's nabe showing, okay $2,400.

World (Par-Singer-Steffes) (350; 28-39-44-55)—'Lilac Domino' (Select). Gave way after three days to 'Long Voyage' (UA) on Monday (3). Light $300. Last week, 'Grapes Wrath' (20th) (re-issue), slim $300 in four days.

1st Round-Table Short

First of a series of shorts featuring Dorothy Thompson, Wythe Williams, Linton Wells and William L. Shirer in a round-table on international affairs has been completed and will be released shortly. Joereeler was produced by William Rowland at the Eastern Service Studios, Astoria, L. I., about two weeks ago. It will be distributed by Columbia.

Series is labeled 'What's the Shooting For' and is being handled in the standard radio forum style. Different personalities will be featured in each one. Burnet Hershey, radio commentator, is supervising.

'Company'-'Paris' $23,000, Philly; 'Sierra' 18½G, H.O.'s Very Forte

Philadelphia, Feb. 4.

It's holdover week in Philly, but 'its spelling healthy biz all along. B.O.'s are showing rosy complexions as filmgoers are continuing the rush they started last week.

There are only three newcomers making their bow-in this sesh, and two of them are joining the happy parade: 'High Sierra', at the Fox, and 'Keeping Company' plus 'Streets of Paris' revue at the Earle. 'Lady With Red Hair' at the Karlton is also holding its own.

Holdovers getting good results are 'Gone,' 'Philadelphia Story,' 'Kitty Foyle,' and 'Tall, Dark and Handsome.' Only picture in the turkey category is 'Road Show' at the Aldine.

Estimates for This Week

Aldine (WB) (1,303; 35-46-57-68)—'Road Show' (UA). (2d wk). Headed for one of the poorest grosses in the Aldine's history with $4,200. Last week, not much better with sad $5,300. House shutters end of the week for installation of special equipment for showing of 'Fantasia' which opens Feb. 12.

Arcadia (Sablosky) (600; 35-46-57)—'Love Neighbor' (Par) (2d run). Fair $3,700. Last week's third-run try for 'Northwest Mounted' (Par), slightly better $3,800.

Boyd (WB) (2,560; 35-46-57-68)—'Philadelphia' (M-G) (3d wk.). Still showing plenty of power with $18,000. Last week, sock $22,500. Will hang on for at least one more ride.

Earle (WB) (2,758; 35-46-57-68)—'Keeping Company' (M-G) plus 'Streets of Paris' revue. Looks good for okay $23,000. Last week, 'Vigilantes' (U) and stage show featuring Erskine Hawkins orchestra, pulled a sleeper with ultra-smashing $30,500, nearing the house record.

Fox (WB) (2,423; 35-46-57-68)—'High Sierra' (WB). Jogging along with a bright $18,500. Last week, 'Hudson's Bay' (20th) just made par with $15,000.

Karlton (WB) (1,066; 35-46-57-68)—'Red Hair' (WB). Lack of room forced this one to open in usual second-run house, netting a fairish $4,800. Last week, 'Comrade X' (M-G) (2d run), bullish $5,200.

Keith's (WB) (1,970; 35-46-57-68)—'Kitty Foyle' (RKO) (2d run) (3d wk.). Neat $4,800 for sixth week downtown. Last week's take a shade better with $4,900.

Stanley (WB) (2,916; 35-46-57-68)—'Gone' (M-G (2d wk.). Looks like repetition of last year's dizzy pace, netting a sensational $27,000 on this trip. Last week, ditto.

Stanton (WB) (1,457; 35-46-57)—'Tall, Dark' (20th) (2d wk.). Word-of-mouth taking effect and giving better b.o. on second try than first. Getting $5,500 for round two, compared with $5,200 for unveiling.

'GONE' BIG $20,000 IN 2D BALTO W'K

Baltimore, Feb. 4.

Continued good biz here, with most b.o.s booming in spite of h.o. films. New entries of 'Buck Privates,' at Keith's, and 'Maisie Was a Lady,' at the New, holding their own nicely.

Considerable fanfare broke loose here with the opening of Bill Hicks' new Maltair, on the site of the former legit Auditorium, located on the fringe of the downtown area. Destined for subsequent runs, house nevertheless opened with 'A Night At Earl Carroll's' slated for a week at a 10-15-25 scale for the 1,000 seats available.

Estimates for This Week

Century (Loew's-UA) (3,000; 25-40-55) — 'Gone' (M-G) (2d wk). Maintaining terrific pace set on opening round and pointing to big $20,000, after extra rosy $23,600 for initial sesh.

Hippodrome (Rappaport) (2,205; 15-28-39-44-55-66) — 'Thing Called Love' (Col) (2d wk). H. with change of vaude portion to Major Bowes' Sixth Anniversary Show, continuing strong and should reach swell $15,000. Last week, with vaude, big $16,600.

Keith's (Schanberger) (2,406; 15-28-33-38-44) — 'Buck Privates' (U). Attracting trade and should garner satisfying $6,000. Last week, 'Road Show' (UA), fairish $5,200.

New (Mechanic) (1,581; 15-28-35-44)—'Maisie Was Lady' (M-G). Good spot for this series, attracting steady daytime femme patronage to mount up okay $5,000 in this limited seater. Last week, 'Girl in News' (20th), fair $4,100.

Stanley (WB) (3,280; 15-28-39-44-55)—'Santa Fe' (WB) (2d wk). Still going strong with all right $12,000 in second, after booming first round to $17,300.

Key City Grosses

Estimated Total Gross
Last Week.....$1,753,000
(Based on 25 cities, 172 theatres, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year.....$2,319,700
(Based on 26 cities, 178 theatres)

'PHILLY' TOPPING HOT PITT., $24,500

Pittsburgh, Feb. 4.

While the bad weather, which has had an extended run of 12 continuous days of snow and sleet, is undoubtedly nicking the grosses, the bigger attractions are acting as though it were balmy fall. Impervious to rain or shine, 'Philadelphia Story' is giving the Penn ushers sore dogs, while 'Gone,' moved to the Warner after two weeks at the Penn, is reviving memories of business at that theatre a year ago when it played the same attraction on roadshow basis.

Estimates for This Week

Fulton (Shea) (1,750; 25-40) — 'East River' (WB). Will get the house about an even break at $3,200. Last week, 'Kildare's Crisis' (M-G), needing a hypo at $2,700.

Penn (Loew's-UA) (3,300; 40-55)—'Philadelphia' (M-G). Zooming for sensational $24,500 at regular prices. This gives Penn three sock weeks in a row. Last week, 'Gone' (M-G), mighty $22,000.

Ritz (WB) (800; 25-35-50)—'Texas Rangers' (Par) and 'Earl Carroll's' (Par). Will do all right for this little house at $2,200. Last week, 'Bagdad' (UA) in third week downtown, substantial $2,800.

Senator (Harris) (1,700; 25-35-50) —'Thing Called Love' (Col). Best thing this house has had since 'Tin Pan Alley.' Third week should get in nice $4,500. Last week, built to $6,900, for fourth try.

Stanley (WB) (3,600; 25-40-60) — 'Four Mothers' (WB) and Larry Clinton orchestra on stage. Proving somewhat of a disappointment. Will turn in $16,000. Last week, 'Second Chorus' (Par) and 'Streets of Paris Revue' got by in spite of weather, $21,500.

Warner (WB) (25-35-50) —'Gone' (M-G). Burning up the foyer carpets at $10,000 in third week downtown. Will play another week at this house. Last week, 'Little Men' (RKO) and 'Nanette' (RKO), slid off to mild $4,000.

'Kitty,' Sans Hearst Publicity in Seattle, Garners Big $8,000

Seattle, Feb. 4.

Without benefit of art or publicity in the Hearst Post Intelligencer, operated by son-in-law Boettiger of President Roosevelt, but with one review by drama editor J. Willis Sayre, and that in very complimentary tone, 'Kitty Foyle' (RKO) is getting on toward a big gross. P. I. critic compared 'Kitty' in laudatory tones to 'Our Town,' but the lid is down on free publicity policy of paper. Result is the 'Citizen Kane' (RKO) rumpus.

'Philadelphia Story' has a good session on moveover to Music Box. 'Hudson's Bay' rolls into second week at Paramount.

Estimates for This Week

Blue Mouse (Hamrick-Evergreen) (850; 30-40-50)—'Victory' (Par) and 'Up in Air' (Mono). Bad $1,900. Last week, 'Second Chorus' (Par) and 'Night Train' (20th) (2d wk), nice enough $2,400.

Colliseum (Hamrick-Evergreen) (1,900; 16-32)—'Tin Pan Alley' (20th) and 'South Suez' (WB) (2d run). Garnering a big $3,800. Last week, 'Escape' (M-G) and 'Christmas Vill' (Par) first half; 'Blondie Cupid' (Col) replacing last half, only moderate $2,700.

Fifth Avenue (Hamrick-Evergreen) (2,349; 30-40-50) — 'Kitty Foyle' (RKO) and 'Tall, Dark' (20th). Fancy at $8,000. Last week, 'Philadelphia' (M-G) and 'Shayne Detective' (20th) (2d wk), big $7,100.

Liberty (J-vH) (1,650; 30-40-50)—'Escape Glory' (Col) and 'Blondie Servant Trouble' (Col). Slow $3,600. Last week, 'Every Queen' (Col), and 'Girls 21' (Col), no dice at $3,300.

Music Box (Hamrick-Evergreen) (850; 30-40-50)—'Philadelphia' (M-G) and 'Shayne Detective' (20th) (3d wk). Enough power for great $3,900. Last week, 'Love Neighbor' (Par) and 'Jennie' (20th) (2d wk, six days), $2,400, good.

Orpheum (Hamrick-Evergreen) (2,600; 30-40-50)—'High Sierra' (WB) and 'Get Girl' (U). Big campaign, including 24 billboards for 'Sierra,' helping this house to handsome $7,200. Last week, 'Honeymoon Three' (WB) and 'Texas Rangers' (Par), mild $3,900.

Palomar (Sterling) (1,350; 20-50)—'Riding Rainbow' (Rep) and 'Remedy Riches' (RKO), plus vaude. Sturdy $6,000. Last week, 'Madame LaZonga' (U) and 'Before I Hang' (Col) plus stage show Pinky Tomlin headlining, garnered okay $5,200.

Paramount (Hamrick-Evergreen) (3,039; 30-40-50) — 'Hudson's Bay' (20th) and 'Saint Palm Springs' (RKO) (2d wk). Good enough $1,900. Last week, woeful $8,500.

Roosevelt (Sterling) (800; 16-32)—'Bank Dick' (U) and 'Four Mothers' (Rep) (2d run). Okay at $1,900. Last week, 'Find Out' (RKO) and 'East River' (WB), $1,700, slow.

Winter Garden (Sterling) (800; 16-30)—'Third Finger' (M-G) and 'City Conquest' (WB) (2d run). Heading for $2,100, good. Last week, 'Argentine Way' (20th) and 'Dulcy' (M-G) (2d run), good $2,000.

'SMITH', $9,500, INDPLS. NIFTY

Indianapolis, Feb. 4.

Managers of theatres in the downtown area were furnished with a ready-made alibi this week, but they don't need it. Sonja Henie and her Hollywood Ice Revue moved into the Coliseum on the State Fair Grounds Thursday (30) for six-day stay and seats were sold out a week in advance at $3.30 top. This takes a lot of coin out of the theatre district, but natives are going down into the toes of their socks and business is clicking in all downtown houses.

Loew's, with 'Gone With the Wind' at reduced prices, is a breeze, with record take humped entirely by length of pic which curtails turns over. Indiana, dualing 'Mr. and Mrs. Smith' and 'Saint in Palm Springs,' is reaping a harvest with the best week of the current year a certainty. Circle, holding over 'Kitty Foyle' and 'Remedy Riches' for a second week, also in the blue chips.

Estimates for This Week

Circle (Katz-Dolle) (2,600; 25-30-40)—'Kitty Foyle' (RKO) and 'Remedy Riches' (RKO (2d wk). Good $5,800. Last week, healthy $9,000.

Indiana (Katz-Dolle) (3,100; 25-30-40)—'Mr. and Mrs. Smith' (RKO) and 'Saint Palm Springs' (RKO). Very good $9,500. Last week, 'High Sierra' (WB) and 'Give Us Wings' (U), weak $6,400.

Loew's (Loew's) (2,400; 40-55) — 'Gone' (UA). Back at reduced prices and bringing bargain hunters out in droves for nifty $12,000. Last week, 'Bagdad' (UA) and 'Nobody's Children' (Col), not so good $7,200.

Lyric (Lyric) (1,900; 25-30) — 'Meet Missus' (Rep) and Gray Gordon orch on stage. Fair $9,000. Last week, 'Barnyard Follies' (Rep) and 'Shoot Works' on stage, poor $5,500.

'Escape'-Calloway 19G, Cleve.

'Bagdad' $14,000—'Sierra' Good $10,000 Despite Clubwomen's Panning

Cleveland, Feb. 4.

Belated sunshine is bringing in suburbanites who have been snowbound, and warming up downtown houses. Despite Kay Kyser's milking nearly $30,000 out of Palace last week, Cab Calloway teamed with Mills Bros. and 'Escape to Glory' are giving the RKO de luxer another extra healthy stanza.

State next door also getting unexpectedly good play with 'Thief of Bagdad.' Al Hipp 'High Sierra' is breaking above average, while 'Gone' on third round at pop prices is spurting far over Stillman's ordinary figure.

Estimates for This Week

Allen (RKO) (3,000; 30-35-42-55) —'Thing Called Love' (Col). Excellent $5,000 for this moveover. Last week, 'Kitty Foyle' (RKO) (3d wk), no less satisfactory at $4,700.

Hipp (Warner) (3,700; 30-35-42-55) —'High Sierra' (WB). Severely panned by critics and clubwomen, but a nice draw at $10,000. Last week, 'Thing Called Love' (Col), tuneful $13,200.

Palace (RKO) (3,200; 30-35-42-55-60)—'Escape Glory' (Col) plus Cab Calloway orchestra and Mills Bros. on stage. Surprising strength here with week-end standees. Very smart $19,000 possible. Last week, 'Playgirl' (RKO) and Kay Kyser crew on a five-and-six-a-day grind ran up a smashing $29,000.

State (Loew's) (3,450; 30-35-42-55) —'Bagdad' (UA). Showmanship in advance campaign set this one up prettily, and well liked, for worthwhile $14,000. Last week, 'Gone' (M-G) on h.o., nabbed grand $23,900.

Stillman (Loew's) (1,972; 30-35-42-55)—'Gone' (M-G). Going big on third week, around $11,000 easily. Last week, 'Kildare's Crisis' (M-G), good $4,300.

'Fantasia' Off to $17,500 1st Wk., L.A., 'Thing' $19,700, Orph Big 20G With 'Vanities,' 'Live' $18,700

Broadway Grosses

Estimated Total Gross
Last Week.....$377,100
(Based on 13 theatres)
Total Gross Same Week
Last Year.....$380,700
(Based on 12 theatres)

SPITALNY HYPOS 'MOTHERS' TO 16G, BUFF.

Buffalo, Feb. 4.

Continued choice screen bait, both in the form of fresh releases as well as holdovers and second runs, with a touch of stage lure added, is hypoing the turnstiles. Spitalny orchestra and 'Four Mothers' riding along at a potent clip, while 'Gone's' third round is still plenty bullish.

Vincent Lopez in a short three-day session at the 20th Century with 'One Crowded Night' the first split week a stage attraction has never played at any local first-run house—proved a disappointment, though helping the week's figure. 'Philadelphia' second run is okay, and 'Invisible Woman' is holding to the quickened pace apparent the past fornight at the Lafayette.

Estimates for This Week

Buffalo (Shea) (3,500; 35-55)—'Four Mothers' (WB) and Phil Spitalny orchestra. Continued healthy tone, around rosy $16,000. Last week, 'Philadelphia' (M-G) and 'Man Borneo' (M-G), drove up to over choice $17,000.

Great Lakes (Shea) (3,000; 35-55) —'Gone' (M-G) (3d wk). Showing continued drawing power with hefty $15,000. Last week, plenty fancy $16,500.

Hipp (Shea) (2,100; 30-45)—'Philadelphia' (M-G) and 'Man Borneo' (M-G) (2d run). Peppy $7,500. Last week, 'Here Comes Navy' (WB) (reissue) and 'River's End' (WB), okay $6,500.

Lafayette (Hyman) (3,300; 30-40)—'Invisible Woman' (U) and 'Margie' (U). Will sew up better than good $7,500. Last week, 'Thing Called Love' (Col) (2d wk) and 'Plane Robbery' (Col), romped in with punchy $8,000.

20th Century (Dipson) (3,000; 30-40)—'Crowded Night' (RKO) and Vincent Lopez orchestra on stage (3 days). Not too fancy $4,500. 'Make Music' (RKO) and 'Li'l Abner' (RKO) (4 days), fair enough $4,000. Last week, 'East River' (WB) and 'Always Bride' (WB), mild $5,000.

One War at a Time

Hollywood, Feb. 4.

World War No. 1 went into action yesterday (Mon.) at Warners with Gary Cooper playing the title role in 'Sergeant York.'

Other toppers in the cast are Walter Brennan and Jean Leslie.

Los Angeles, Feb. 4.

(Best Exploitation: Carthay Circle)

Orpheum theatre, with Earl Carroll's 'Vanities,' headed by Bert Wheeler on stage, is leading the town this week. It's first big business house has had in some stanzas and Carroll should garner neat $10,000 for his share. Otherwise, however, balmy weather Sunday sent thousands to the beaches, cutting heavily into the grosses.

Greatest combined gross will fall to Pantages and RKO, with close to $20,000 for 'This Thing Called Love,' Disney's 'Fantasia' relighted Carthay Circle (29), and with a sell-out preem should have no trouble hitting lucrative $17,500 on first week.

Warners day-daters are holding over 'High Sierra,' mostly through product shortage, but will come out on right side of ledger. Paramount, dualing 'Victory' (second week) with 'You're the One' and radio revue on stage, looks headed for $13,000.

By way of exploitation for 'Fantasia,' Rex-West Coast is currently contacting all Southern California newspapers, dailies and weeklies, for probably first time in five years. It's bringing loads of free publicity. Exploitation chief also tied up four windows with the exclusive Maemin store and prevailed upon establishment to take newspaper space advertising the cartoon opus. In addition, more than 1,000 school librarians and art schools throughout Southern California were contacted by means of a special one-sheet and other literature.

Estimates for This Week

Carthay Circle (F-WC) (1,516; 55-83-$1.10-$1.65)—'Fantasia' (Disney). Debutted (29) to $5.50 preem, garnering around $5,000 on the night, and on basis of early returns should hit big $17,500 on the initial week. Looks like substantial run in sight.

Chinese (Grauman-F-WC) (2,034; 30-44-55-75)—'Life with Me' (M-G) and 'Liberty' (M-G). So-so $8,700. Last week, 'Flight Command' (M-G) and 'Shayne Detective' (20th), fell short of expectations at $9,500.

Downtown (WB) (1,800; 30-44-55) —'High Sierra' (WB) and 'Couldn't

(Continued on page 23)

'HUDSON' 9G, OMAHA; 'PHILLY' FAIR $8,500

Omaha, Feb. 4.

Grosses held pretty well with return of steadier weather. Brandeis will do a little better than $6,000 with 'This Thing Called Love' plus 'Escape to Glory,' indicating a possible second week. At the Orpheum, 'Hudson's Bay' and 'A Night at Earl Carroll's' will go just about $9,000, no stronger. The Omaha with 'Philadelphia Story' single-featured has a pretty good $8,500.

Sonja Henie show which comes in for week next Friday (7) already shows signs of cutting into boxoffice at theatres.

Estimates for This Week

Brandeis (Mort Singer) (1,500; 10-25-35-40)—'Thing Called Love' (Col) and 'Escape Glory' (Col). Good $6,000. Last week, 'Arizona' (Col) and 'Always Bride' (WB) (2d wk), fair $3,000.

Orpheum (Tristates) (3,000; 10-30-40)—'Hudson's Bay' (20th) and 'Earl Carroll's' (Par). Fairly good $9,000, considering. Last week, 'Maisie Lady' (M-G) (15-35-55) with stage show, Andrews Sisters, Joe Venuti band, and Three Stooges, $13,000, good.

Omaha (Tristates) (2,000; 10-30-40) —'Philadelphia' (M-G). Good $8,500. Last week, 'Comrade X' (M-G) and 'Haunted Honeymoon' (M-G), strong $9,500.

Town (Goldberg) (1,500; 10-20-25) —'Wyoming Wildcat' (Rep), 'Honolulu' (M-G), 'Lone Wolf Date' (Col), triple, split with 'Law Rides' (Cap), 'Earl Chicago' (U), and 'Leonard Men' (Col), 'Fifth Seve.' (RKO). Fair $800. Last week, 'Robin Hood Pecos' (Rep), 'Spitfire' (RKO), 'Aunt Maggie' (Rep), split three ways with 'Greed' (Cap), 'Panama Lady' (RKO), and 'Correspondent' (UA), 'Sisters Margo' (U), close to $800.

Avenue - Military - Dundee (Goldberg) (950; 300; 600; 25)—'North West Mounted' (Par), split with 'Man Married' (20th), 'Blondie Cupid' (Col) 'Dulcy' (M-G). Fair $1,000. Last week, 'Correspondent' (UA), 'Zorro' (20th), split with 'Melody Moonlight' (Rep), 'Give Wings' (U) and 'Diamond Frontier' (U), good $1,100.

State (Goldberg) (900; 10-20-25)—'North West Mounted' (Par), split with 'Blondie Cupid' (Col), 'Melody Ranch' (Rep) and 'Dulcy' (M-G). Fair $700. Last week, 'Melody Moonlight' (Rep), 'Zorro' (20th) split with 'Diamond Frontier' (U), 'Caballero' (20th) and 'Give Wings' (U), pretty good $800.

Miniature Reviews

'Western Union' (20th). Lusty and actionful western epic with excellent Technicolor. Hefty b.o. for good share of holdovers.

'You're the One' (Par). Bonnie Baker and Orrin Tucker in lightweight filmusical for dual filler purposes.

'Buck Privates' (U). Abbott and Costello provide laugh hit for strong b.o.

'The Pinto Kid' (Col). Medlocre westerner starring Charles Starrett.

'Freedom Radio' (Col). Sock anti-Nazi pic, starring Clive Brook-Diana Wynyard; British-made.

'40,000 Horsemen' (Australian). Excellently produced, good b.o. thriller about the Australian Light Horse brigade.

'La Quinta Calumnia' (Argentine). Floppo patriotic pic because of poor story.

WESTERN UNION

(TECHNICOLOR)

Hollywood, Jan. 31.

20th Century-Fox release of Harry Joe Brown production. Features Robert Young, Randolph Scott, Dean Jagger, Virginia Gilmore. Directed by Fritz Lang. Story by Zane Grey; screenplay by Robert Carson; camera, Edward Cronjager; Technicolor associate, Allen M. Davey; editor, Robert Bischoff. Previewed in studio projection room Jan. 30, '41. Running time, 93 MINS.

Richard Blake	Robert Young
Vance Shaw	Randolph Scott
Edward Creighton	Dean Jagger
Sue Creighton	Virginia Gilmore
Doc Murdoch	John Carradine
Herman	Slim Summerville
Homer	Chill Wills
Jack Slade	Barton MacLane
Governor	Russell Hicks
Charlie	Victor Kilian
Pat Grogan	Minor Watson
Herb	George Chandler
Chief Spotted Horse	Chief Big Tree
Indian Leader	Chief Thundercloud
Porky	Dick Rich
Henchman	Harry Strang
Stagecoach Rider	Charles Middleton
Captain Harlow	Addison Richards
Barber	Irving Bacon

'Western Union' is another epic of the early American frontier. This time the stringing of telephone lines in the '60's, between Omaha and Salt Lake City, provides the background for adventures and excitement in empire building. Hewing to a straight line in telling the story of pioneering the west, and without any pretenses otherwise, 'Western Union' is a lusty and actionful offering that will play a merry tune at the box-office. For the key spots, it's strong enough to catch a good share of holdovers.

Mounted with expansiveness as a super-western of upper-budget proportions, picture displays some of the most eyeful exterior panoramas in Technicolor that have ever been photographed. The tinting photography does much to hold and maintain interest throughout, and has some of the finest outdoor scenes which were photographed in the colorful Utah park country.

Randolph Scott, an ex-outlaw who joins the expedition as a scout, takes advantage of every opportunity provided, and turns in a strongly persuasive characterization that will advance his b.o. rating. Dean Jagger is the company engineer in charge of construction; Robert Young a dudish easterner who toughens up under western ways; and Barton MacLane is the renegade outlaw whose band continually harasses the camp. Virginia Gilmore is minor as the romantic interest for conflict between Scott and Young in the early reels. Slim Summerville intermittently supplies comedy relief as the camp cook.

At the opening, outlaw Scott saves the life of Jagger, surveying the wilderness for the telegraph line to span the country. Later, Jagger hires Scott as company scout when the wagon train, men and equipment start towards Salt Lake City. Trouble hits the expedition when the live stock and then horses are rustled, supposedly by Indians. But the culprits are a band of renegades led by MacLane, who sells the stolen property back to Jagger. Scott's apparent friendliness with the outlaws whets suspicions of both Young and Jagger, and after the renegades stir up Indian trouble and finally set fire to the camp, Scott is fired and rides to town to do battle with MacLane, disclosed as his brother. In the ensuing gunfight, Scott is killed, but tenderfoot Young arrives to avenge his death. And there's a happy ending celebration when the wire is strung into Salt Lake.

The burning of the company camp, and resultant confusion, is spectacularly staged for tense dramatic effect. The Indians, real ones from the reservations, act normally at all times, and although antagonistic at first to the stretching of wires across their reservation, are finally won over by Jagger without a battle. The gun duel between Scott and MacLane is set up for greatest suspense and effect, and neatly handled both in script and direction to achieve the results intended. *Walt.*

YOU'RE THE ONE

(MUSICAL)

Hollywood, Jan. 30.

Paramount release of Gene Markey production. Features Orrin Tucker's band, Bonnie Baker, Jerry Colonna. Directed by Ralph Murphy; original screenplay by Gene Markey; camera, Ted Tetzlaff; film editor, Archie Marshek; songs by Jimmie McHugh and Johnny Mercer, Orrin Tucker, Olman and Rose; musical numbers staged by LeRoy Prinz. Previewed at Paramount, L. A., Jan. 29, '41. Running time, 79 MINS.

Orrin Tucker	Orrin Tucker
Bonnie Baker	Bonnie Baker
Luke Laramie	Albert Dekker
Dr. Colonna	Jerry Colonna
Joe Frink	Edward Everett Horton
Miss Jones	Lillian Cornell
Program Director	Walter Catlett
Tony Delmar	Don Castle
Julius	Teddy Hart
Aunt Emma	Renie Riano
Mr. Ziffnidyiff	Eddie Conrad
Edgar Crump	Tom Dugan
Mr. Miggles	Clarence Wilson
Mme. Ziffnidyiff	Marisan Aldrich
Announcer	Charles Lane

Orrin Tucker's Orchestra

This one offers the film debuts of Bonnie Baker and Orrin Tucker (with his orch). Both will have to back up for more auspicious cinematic starts—as the story and material provided by producer-scripter Gene Markey fail to measure up to the talents at hand. 'You're the One' tugs and strains in attempting to get over some comedy—never achieves that result to any extent and winds up as an ineffectual offering. It's a minor dual supporter for the hinterlands, and if attempted as billtopper on strength of the Baker and Tucker marquee values, needs plenty of strong support to stand up at the b.o.

Yarn is built around radio broadcasting, and the attempts of jittery agent Edward Everett Horton to spot Miss Baker as singer with a network band—specifically that of Albert Dekker. Latter goes to Zeno Springs, operated by Jerry Colonna with screwball policies, and Horton packs the singer to the layout as a glamour gal. There's a lot of unfunny horse-play before Miss Baker is corralled to sing with the Tucker band.

Basic fault of the picture lies in the script, which is credited to producer Markey. It's a general hodge-podge of corny situations that harken back to early vaude and burlesque days, and there seems to be little that director Ralph Murphy can do under the circumstances.

The song numbers inserted are far above the story material. Miss Baker delivers her 'Oh, Johnny, Oh,' in addition to several new tunes by Jimmy McHugh and Johnny Mercer. Best for pop rating include 'Strawberry Lane,' 'I Could Kiss You For That,' and Orrin Tucker's 'My Resistance Is Low.'

Miss Baker is better doing her singing chores than in an acting assignment. Tucker surprises with his ease before the cameras for the first time, and has a good screen personality that rates a chance in pictures if and when he can be pried loose from the band profession. Supporting cast includes Albert Dekker, Edward Everett Horton, Teddy Hart and Renie Riano. Colonna provides his usual antics and eye exercises for moderate attention. *Walt.*

BUCK PRIVATES

(WITH SONGS)

Hollywood, Jan. 29.

Universal release of Alex Gottlieb production. Stars Abbott and Costello; features Andrews Sisters, Lee Bowman, Alan Curtis, Jane Frazee, Nat Pendleton. Directed by Arthur Lubin. Original screenplay by Arthur T. Horman; special material for Abbott and Costello by John Grant. Camera, Milton Krasner; film editor, Philip Cahn; dance director, Nick Castle. Songs by Hughie Prince and Don Raye; Hughie Prince, Sonny Burke and Don Raye; Albert von Tilber and Neville Fleeson; Hughie Prince, Vic Schoen and Don Raye. Previewed at Alexander, Glendale, Jan. 28, '41. Running time, 82 MINS.

Radolph Parker, III	Lee Bowman
Bob Martin	Alan Curtis
Slicker Smith	Bud Abbott
Herbit Brown	Lou Costello
Patty, Maxene, LaVerne	The Andrews Sisters
Judy Gray	Jane Frazee
Sgt. Michael Collins	Nat Pendleton
Major General Emerson	Samuel S. Hinds
Sgt. Callahan	Harry Strang
Mrs. Parker, II	Nella Walker
Henry	Leonard Elliott
Chef	Shemp Howard
Announcer	Mike Frankovitch
Miss Durling	Dora Clemant

Camp hostesses: Jeanne Kelly, Elaine Morey, Kay Leslie, Nina Orla, Dorothy Darrell.

'Buck Privates' is the first of an anticipated cycle of pictures predicated on adventures of rookies in the selective service camps. Geared at a zippy pace, and providing lusty and enthusiastic comedy of the broadest slapstick, it's hilarious laugh concoction that will click solidly in the general runs for profitable biz. A natural for the family and hinterland trade, 'Buck Privates' might easily surprise in the key houses.

Picture has a good chance to skyrocket the former burlesk and radio team of Bud Abbott and Lou Costello into topflight starring ranks as a comedy duo—just as 'Behind the Front' served to launch the Wallace Beery-Raymond Hatton team 15 years ago into popular rating. Supplied with a compact script and spontaneous direction by Arthur Lubin, Abbott and Costello have a field day in romping through a lightly 'frameworked' yarn that makes little attempt to be serious or credible. Aiding considerably is the appearance of the Andrews Sisters, who do their regularly competent harmonizing of several tuneful melodies.

Abbott and Costello, pitchman and shill, are inducted into the army and assigned to camp. The madcap and zany antics of Costello are displayed in numerous comedy and knockabout sequences that—although the material is familiar—click for solid laughs through the timing of the gags and situations. There's a light thread of romantic triangle between rich boy, Lee Bowman; comely camp hostess, Jane Frazee, and former chauffeur Alan Curtis.

Picture is studded with several Abbott and Costello routines that are particularly effective for sustained laughs. Tops is a sequence in which Costello is a member of the awkward squad for special rifle drill. Running about five minutes, episode builds quickly for continuous hilarity—with dialog drowned in the audience uproar. A new angle on the oldie money changing routine and a particularly funny dice game also hit high marks for comedy reaction.

Aside from one minor sentimentally romantic number by Jane Frazee (member of the Frazee Sisters duo), the musical end is capably carried by the Andrews Sisters. Trio sings 'Boogle Woogie Bugle Boy,' 'Bounce Me Brother with a Solid Four,' 'You're a Lucky Fellow, Mr. Smith,' and the old pop tune by Albert von Tilzer and Neville Fleeson, 'I'll Be with You in Apple Blossom Time.'

Supporting cast is ideally set up to provide proper background for the spotlighting of the Abbott and Costello comedy. Nat Pendleton, as the tough top sergeant continually tangling with the recalcitrant Costello, makes most of the material assigned him.

'Buck Privates' needs special exploitation to get started in the key spots, but will get immediate word-of-mouth to zoom it to profitable b.o. *Walt.*

THE PINTO KID

(WITH SONGS)

Columbia production and release. Stars Charles Starrett; features Louise Currie and Sons of the Pioneers. Directed by Lambert Hillyer. Screenplay, Fred Myton; camera, George Meehan; editor, Mel Thorsen; music and lyrics, Bob Nolan and Tim Spencer. At New York, N. Y., dual, Jan. 30, '41. Running time, 66 MINS.

Jud Calvert	Charles Starrett
Betty Ainslie	Louise Currie
Bob	Bob Nolan
Vic Landreo	Paul Sutton
Hank	Hank Bell
Curt Harvey	Francis Walker
Ed Slade	Ernie Adams
Marshal	Jack Rockwell
Dan Foster	Roger Grey
Cheyenne	Richard Botiller

and Sons of the Pioneers

'The Pinto Kid' is another in the series of westerns in which Charles Starrett has been featured by Columbia, and the result is an average dualer.

Story relegates the film to a stature the passable direction and acting cannot lift under any circumstances, with Starrett. Louise Currie, a neat looker, and the Sons of the Pioneers, headed by Bob Nolan, carrying the major load. As the menace, Paul Sutton is one of the more convincing types.

Yarn concerns the period immediately following the American Civil War, with some Kansans and Texans seemingly having dismissed the thought of the Appomatox truce. There's the usual dirty work engineered by Sutton as a cattle rustler and bank robber trying to shift the blame onto a group of Texans led by Starrett, but it's no dice—of course.

The Pioneers are a harmony group tossing off compositions by their leader, Bob Nolan, and Tim Spencer. *Naka.*

FREEDOM RADIO

(BRITISH-MADE)

London, Jan. 10.

Columbia release of Two Cities production. Stars Diana Wynyard, Clive Brook. Directed by Anthony Asquith. Screenplay, A. de Grunwald, Jeffery Dell from original story by Wilhelm Wolfgang; music, Nicholas Brodezky; camera, Bernard Knowles. At Columbia private theatre, London, Jan. 10. '41. Running time, 95 MINS.

Karl	Clive Brook
Irena	Diana Wynyard
Rabenau	Raymond Huntley
Hans	Derek Farr
Elly	Joyce Howard
Kummer	Howard Marion Crawford
Otto	John Penrose
Father Landbach	Morland Graham
Spiedler	Ronald Squire
Fenner	Reginald Beckwith
Dressler	Clifford Evans
Muller	Bernard Miles
Dr. Weiner	Ibb McLaughlin
Hanna	Muriel George
Concierge	Martita Hunt
Sebastian	Hay Petrie
Grannie Schmidt	Katie Johnson
Policeman	George Hayes
S. S. Trooper	Manning Whiley
Heini	Abraham Sofaer

'Freedom Radio' is suspenseful melodrama, gripping entertainment and a class offering. It's a good bet for the U. S. since the propaganda element is submersive to film's thrills and romantic conflict.

The Wilhelm Wolfgang original is an intelligent indictment, not of the existing force of Nazism, but the slumbering power of the 'proper' Germany. When that power will lift its head is left to the audience. In presenting that sentiment picture comes at a highly advantageous time.

Screenplay of A. de Grunwald and Jeffrey Dell continually expounds this theme, and when an element that might pass for propaganda begins to pall, scripters pull a surprise twist out of the bag to send picture rolling on in gripping suspense. To the scribblers must go major credit for the excellent vehicle. Long and personal snips of Hitler are alone the questionable element. They are unnecessary and tend to spoil an illusion.

Direction of Anthony Asquith rarely misses the spirit of its charge, keeping players moving in steady momentum. Yarn tells of the Viennese doctor, Karl Roder, who though high in Nazi esteem, finds first his friends pillaged by the regime, then his wife soporifically enmeshed into a self-satisfied acceptance of its credo.

Clive Brook is completely satisfactory as the organizer, who, through the voice of a secret radio station, maintains to his end there is a 'better' Germany. Diana Wynyard, as the wife, Irena, is deeply appealing and reaches sock dramatics in the sacrificial ending.

Certain scenes are standout in support portrayals, notably Joyce Howard as the sweetheart of Derek Farr, young radio mechanic whose artistry fashions freedom's transmitter out of stolen bits and pieces. She is a sympathetic type and worth noticing. Derek Farr supports the respect he gained in recent film work.

Remainder of the cast splendidly assist, Hay Petrie, Ronald Squire, Martita Hunt, John Penrose, Abraham Sofaer and Evelyn Gregg making much of their roles.

Production is in keeping with expanse of picture itself. Bernard Knowles' camera skilfully depicts the representation.

40,000 HORSEMEN

(AUSTRALIAN-MADE)

Sydney, Jan. 16.

Universal release of Charles Chauvel production. Stars Grant Taylor, Betty Bryant; features Chips Rafferty, Pat Twohill, Harvey Adams. Directed by Charles Chauvel. Original screenplay, Mrs. Chauvel; camera, George Heath; editor, Bill Shephard. At Mayfair, Sydney. Running time, 100 MINS.

Red Gallagher	Grant Taylor
Juliet Rouget	Betty Bryant
Jim	Chips Rafferty
Larry	Pat Twohill
Von Hausen	Harvey Adams
Von Schiller	Eric Reiman
Scotty	Joe Valli
Sheik Abu	Albert C. Winn

With 'Horsemen,' Aussie production drops its diapers and stands quite ready to enter what is left of the overseas' market. The pic, made in cooperation with the Department of Defense, is a three years' dream of Charles Chauvel come true.

'Horseman' is not a propaganda pic, portraying as it does in sheer entertaining fashion the story of the Australian Light Horse, the famous regiment, in Palestine during World War I. Chauvel has with easy grace produced a telling action pic, yet carrying sufficient romance to fully satisfy the femme stubholders. Its success locally is beyond question. For the U. S., some snipping will be needed to cut down the running time and speed up the opening reels. Its lack of marquee names is another U. S. drawback, but, with added polishing and editing by Universal, and, as a dualer, the U. S. release road should not be very tough.

The acting is topnotch, with the honors going to Betty Bryant and Chips Rafferty. The story is slight, telling as it does, apart from the Light Horse angle, the love of a French girl for an Aussie soldier. The action, however, is the highlight of the pic, with a corking charge sequence tempoing to a swift close. The camera work is high-class, editing by Bill Shephard is deft, and the sets by Eric Thompson are tops.

Since the preem trade has been at high pressure, and, on general release, the pic, locally, should gross niftily. *Rick.*

La Quinta Calumnia

(ARGENTINE-MADE)

Buenos Aires, Jan. 29.

Pampa Film production and release. Stars Ali Salem de Baraja and Mario Roman de Flores; features Alberto Anchart, Vincente Climent, Hector Coire, Rafael Frontaura, Chela Cordero and Esther Vani. Directed by Adelqui Millar. Reviewed at the Manumental theatre, Buenos Aires.

Despite top rank star and expensive production, 'La Quinta Calumnia' ('The Fifth Calumny') flops pretty badly because of a weak story.

Film has a patriotic theme, stressing idea that Argentines should buy locally-made goods. Story tells of a local department store (most of the big ones here are British-owned) about to close due to lack of foreign imports. At crucial moment family—wife, daughter and son—of proprietor returns from Europe and tosses a big party to put on a little swank and show off its 'French.' Finally the family has the idea of saving the store by getting a phoney nobleman to plug nationally-made goods. There is a plot against him by two French sub-managers which almost succeeds, but the store is saved when it cops a prize given by a local society for the stimulation of home industry, carrying with it an order for 2,000,000 pesos worth of merchandise.

Ali Salem de Baraja (Argentine-born of Turkish parentage, he started his career as a comic by imitating the Turkish rug-sellers who used to frequent these parts) is the nobleman who falls for the daughter, but, as usual, loses. Humor, which is local, is dragged out and stale, with situations often forced.

Several radio scenes take advantage of de Baraja's strong ether popularity and much emphasis is on idea that those who insist on buying foreign labels are snobs. De Baraja does as well as possible, but no one gets a chance to show much. Pic represents an extremely high budget, is well set and uses more extras than any Argentine film in some time. Big dance, night club and department store scenes are the best. Photography and sound good. But it's hardly likely to be shown outside Argentina. *Ray.*

Todd's Niteries

Continued from page 1

easier. This is borne out, he says, by the previous Saturday's (25) business, when there were 4,547 admissions and only $7,781 spent inside.

That Todd's Chicago joint is a bonanza can be gleaned from his low talent and operating nut of $6,000 weekly, which includes a rental tab of only $125. He gets back $100 of the latter weekly, though, by renting out part of the huge building space for wrestling shows.

Todd is presently contemplating similar operations in Boston, Los Angeles and Detroit, with deals already in the talking stage with owners of likely property in all three cities. There are several partners in his Chicago venture and whether these will be included in his subsequent spots is still uncertain.

What he does know is that the Chicago cabaret is grossing as much, or more, than any four New York niteries combined, which he says is clear enough indication that more profits can be made by playing to the masses than for the classes.

In Chi, he's giving the shirt-sleeved gents and their ladies a complete variety show, plus production accoutrements from his New Orleans village at the N. Y. World's Fair, including Gypsy Rose Lee, Willie West and McGinty, A. Robins, Rola Rola, Ruby Mercer, Joe Fredericks, a line of 26 girls and two bands, Jack Denny's and Johnny Gilbert's. The show alone, he says, makes it a buy at 50c, with the dancing and cabaret atmosphere thrown in for added measure. His full-course dinner prices range from 75c upwards, with champagne cocktails at 25c and cigarets at their 15c cigar store scale.

Mrs. Jessel

Continued from page 3

agent, Saul Pepper of New York City.

George Jessel continued to play out his week at the Club Mayfair, close by, happy over breaking records, but slightly nettled at the outcome of his wife's difficulties.

Behind the scenes of the fiasco is a bit of feuding between the Mayfair and the Versailles. Former club booked in Jessel and began to publicize his coming appearance two weeks in advance of his opening (29). About a week before he came in, the Versailles broke out with the news that Mrs. Jessel would be starred the same week in their show. This did not set well with Michael Redstone, operator of the Mayfair, but when Jessel opened he opened big and there was no evidence that his wife's opposition nearby was denting the Mayfair biz. However, he signed an agreement with the Mayfair management not to visit any other Hub clubs while he was playing the date.

Al Taxier, operator of the Versailles, thought enough of Miss Andrews' talents to book her for at least two weeks, and he was plenty burned when the squawk about her age snowballed into a ban on her continued appearance. In commenting on the situation, Taxier blamed his troubles on the Mayfair set and alluded to them in unflattering terms.

TITLE CHANGES

Hollywood, Feb. 4.

'Shining Victory' is new tag on 'Winged Victory' at Warners.

Columbia switched from 'We, We, Fifi' to 'French Fried Patootie.'

20th-Fox shifted from 'Road to Rio' to 'That Night in Rio.'

British Film Production Dropped 50% in '40; Shorts on the Upswing

London, Jan. 10.

Quota figures for 1940 tell dismally of the slump in British film production. A solo triple-credit feature was registered during the year, against nine so tabulated for 1939, 14 double-credits compared to 21 for the preceding year.

Homeland productions were cut by nearly 50% from the 108 features turned out here during '39, against 425 foreign registrations, with latter down only 26 in the same period.

Whether it was bolstered by Ministry of Information briefies is not indicated, but in the shorts category alone do British films mark an upswing in the past year's production story. Shorts reached 273, gaining 46 on '39. Foreign briefies tumbled from 584 to 381 for '40.

Industry's attitude is to forego comment on actual production figures while turning its chagrin on the drop in triple and double-raters.

Having terminated their agreement with production chief Walter Mycroft, after 10 years, means that Associated British Picture Corp. is no longer 100% interested in film production. Instead, it intends dealing with indie producers, and will be prepared to advance 50% of cost of production, use of its film studios, plus guarantee of release.

John Argyle Pictures is one indie company that's doing business with A.B.P.C. under those conditions, while Walter Mycroft is understood to be forming his own film-producing company under same conditions.

LIGHTING ECONOMY HITS HUNGARIAN SHOW BIZ

Budapest, Jan. 21.

In order to economize on fuel, government has ordered certain restrictions on lighting and early curfew, at varying hours, according to character of shows, etc., concerned. Legit theatres have to end their performances by 10:30. Restaurants, cafes, cinemas, bars, all places open during afternoon or early evening hours, must close by midnight. For night clubs, cafes with floor shows, etc., which don't open until 9 p. m., curfew has been set at 2 a. m.

Street lighting has been reduced by 25%; neon lights and all forms of electric-light advertising prohibited, shop windows may not be lit except when shops are open. Several cafes and bars have shifted to the post-nine-o'clock category, reckoning that business between midnight and 2 a.m. is worth more than the pre-nine-o'clock customers.

Ingvald Oes, Ex-Par, Plans Distrib Outfit

Ingvald Oes, formerly Paramount manager for Scandinavia, has arrived in the U. S.

He plans to establish his own distributing company with his brother.

Ease British Curfews

London, Jan. 10.

Loosening up of drastic curfew regulations in key spots is being gradually brought about by Cinematograph Exhibitors Assn. drive, undertaken on urgent plea from provincial exhibs suffering b.o. blues as result of the enforced shuttering.

Curfew impositions originally put into effect by towns' police departments. But CEA bore down on the Parliamentary end.

It's Now 124

London Jan. 10.

Sunday openings for cinemas were boosted by 124 houses during 1940.

Home Office release of figures include a further 20 awaiting official nod under the Special Procedure Order okayed by Government in December.

NAZI PIX IN MEXICO

Mexico City, Feb. 4.

German pix are being exhibited here after long absence. But these screenings are not public, thanks to the airtight ban of the Confederation of Mexican Workers.

Pix, UFA's newsreels of the Nazist side of the war, are being shown privately and to selected audiences at the local German Club. There have been no protests or disturbances.

VAF Becomes Union As Collective Bargaining Aid

London, Jan. 10.

Following on footsteps of British Equity and its recent affiliation with labor, Variety Artists Federation announces it is now registered as a union. Step is indicated as being taken for tactful and legal reasons, based on power of collective bargaining. Group is also addressing a plea to vaude and circus performers to line up with VAF and alienate any personal prejudices.

Initial move of the group is to get an individual appeal under way from members to Parliament to obtain suspension, for duration of war, at least, of act closing theatres for straight performances on Sunday.

75 FOREIGN PIX OK'D FOR JAP IMPORTING

Tokyo, Jan. 4.

The authorities have decided 75 American and European films may be imported during 1941. The individual quotas for the eight American film companies in the American Motion Picture Association, and the Towa Shoji and Nippon Trade Film Companies, will be communicated to them shortly.

Only 51 new foreign pictures were actually released in Japan during 1940.

RKO, which was given import permits for 'Abe Lincoln in Illinois,' has cancelled the importation of the pic owing to home office action.

American films 'unfit' for showing to children, as locally banned, are 'Union Pacific' and 'I Met Him in Paris' (Par) and 'The Good Earth' (M-G).

In 1941 the production of Jap films will be restricted to 450, including 150 shorts.

Boxing Ban in Japan

Osaka, Jan. 4.

Professional boxing is considered unhealthy and has been prohibited here, according to the new regulations of 122 articles controlling entertainments in Japan.

London in Wartime

London, Jan. 10.

Faddy Carstairs doing propaganda film for the Ministry Of Information before joining the Air Force.

Sebastian Shaw joined Royal Air Force as aircraftsman mechanic.

Gaumont-British reopening the Dominion theatre, which sustained blasting through adjacent bombs.

Robert Morley medically examined for army and given Grade 2, which means unfit for active service.

A. S. Raphael, son of Percy Raphael, in Royal Air Force, arrived in Canada for special course of training in night flying.

Two Cities Films' 'Freedom Radio,' made for Columbia, was budgeted to cost $216,000, but interruptions from blitz and other war hindrances upped cost to $248,000.

Anthony Downing, formerly with John B. Myers, and prior to that with Alexander Korda as publicity hound and pilot of London Films' own plane, debuting as actor in a Ministry of Information propaganda pic.

A. M. Smith, who succeeded Charles Raymond as manager of the Empire, has joined the Royal Army Service Corps. His post at the Empire has now been filled by R. G. Fisher.

PUSH JOBS FOR COMICS

Mexican City Flimery Would Convert to Theatre for Rib-Ticklers

Mexico City, Feb. 4.

Arguing that there are already too many cinemas here, 60 of them, for the good of showfolk, theatrical workers organizations have asked the federal government to turn over to them the Cine Diaz de Leon, an important pic place in the silent days.

The thespians want to convert this cinema into a comedy theatre so that more comics can have steady jobs. The government is reported to be favorably disposed.

Move to Probe 'Tough' Censor Setup in Aussie

Sydney, Jan. 15.

Move is afoot to probe the entire censorship setup as presently operating in this zone. Appears that many prominent politicos, as well as members of the pic industry, favor the easing of redtape on pic snipping and a complete overhaul of censorship as operated by the Commonwealth government.

Blowoff came with the edict by Creswell O'Reilly, Commonwealth Film Censor, that charge scenes in '40,000 Horsemen' must be deleted before the pic could be exported. O'Reilly said that in his opinion the scenes were 'brutal.'

G. Leslie, Appeal Censor, upheld O'Reilly's decision, but when pressure was applied decided to ease the cuts. However, Charles Munro, Hoyts Theatres, together with Charles Chauvel, the pic's producer, and Herc McIntyre, Universal, all holding a major financial share in the pic, contacted Minister for Customs Harrison, who, on privately viewing the pic, immediately ordered all cuts restored. Pressure came, too, from the government of New South Wales, which advanced the $36,000 to aid the production.

Munro stated that 'it was time censorship was subjected to a searching investigation in this zone. The treatment handed to 'Horsemen' is the worst example of censorship bungling that I have seen in 20 years in the pic biz.'

Abandon B.O. for Culture Consideration, Jap Gov't Decrees on Troupe Tour

Tokyo, Jan. 4.

Entertainment for the working and farming population is being provided by a new movement which has taken concrete shape with the organization of several traveling theatre troupes in Tokyo. These troupes are visiting factories in Tokyo and its outskirts, undertaking tours to the farming and fishing districts, and appearing in popular entertainments sponsored by the prefectural, municipal and ward authorities, and by patriotic associations.

Best known among these new organizations are the Toho Traveling Culture Squad, the Shochiku National Traveling Dramatic company, and Masao Inoue's Traveling Dramatic Group. They have been asked to show more cultural responsibility and sacrifice for the public welfare in their enterprise and to abandon their former attitude, which is claimed to have been directed exclusively by one-sided business considerations.

LAWRENCE, LANGE DUE BACK IN U. S. SHORTLY

Ludwig 'Laudy' Lawrence and Fred Lange, European managing directors for Metro and Paramount respectively, are preparing to return to the U. S. from Europe in the next week or 10 days. Lange last was reported in Barcelona, where he expects to wind up business deals this week, while Lawrence last was reported in Marseilles getting ready to leave for Lisbon.

Both major company European chiefs went to Europe late last year to handle the liquidation of distribution setups and readjust European and Balkan operations in line with revised, limited distributing abroad.

Mex City Niteries Seek 10% Tax Nix Pending 'Boom' via Yank Tourists

Streamlined Revue Clicks in Mex City

Mexico City, Feb. 4.

Streamlined revue and vaude are specialties of the new company, headed by Mapy Cortes, pop comedienne, and her husband, Fernando, a singer, that has started up at the historic Teatro Lirico here, where Lupe Velez as a chorine first came to attention in 1923.

Company is featuring a revue authored by Augustin Lara, Mexico's No. 1 romantic songwriter, and is doing far better biz than was enjoyed by the two previous companies that played this house.

SOLIS-PRODUCER ROW FUELED BY STRIKE

Mexico City, Feb. 4.

Pic labor, with the offstage support of the Confederation of Mexican Workers and Vicente Lombardo Toledano, Mexico's labor czar, is emphasizing its aid to Enrique Solis, boss of section 2 (producers) of its union, in his quarrel with the producers. Solis has clamped down on Jesus Grovas, ex-Par exec here, now a local producer, by calling a strike against him. Solis demanded that Grovas hire four more workers and pay them each $25 (Mex) (about $5 U. S.) a day. Grovas says he has no need for this extra help and that the demanded pay for them is exorbitant. When Grovas nixed the proposition, Solis ordered the strike.

Solis has for some time been at odds with the Producers Association, of which Grovas is a prominent member, for its open-letters attacks on his alleged obstruction of the local industry.

The producers have appealed to the labor authorities in the Grovas case, but thus far the authorities have done nothing.

Poor pic pickings because of the "strike" producers are exercising as a protest against Solis has hustled film players to stage or radio.

Among these are Emma Telmo, with XEW, and Miguel Arenas and Adriana Lamar, heading a dramatic company started at the Teatro Arbeu.

In London Studios

London Jan. 10.

Understood R. Leslie-Murray, producer of much-discussed 'Spellbound,' will follow with 'Marriage Bureau.'

Gainsborough's next for Will Hay is 'Black Sheep at Whithall.'

Ealing Studios have tentatively set title of 'Ships with Wings' for their navy fliers' vehicle.

Warners releases 'Empire Was Built' under new tag of 'Mr. Disraeli.'

Hartley Power and Edmund Willard added to cast of 'Atlantic Ferry,' now underway at Warners Teddington studios.

Gainsborough putting 'Cottage to Let' into work at Shepherd's Bush. Anthony Asquith directs this adaptation from recent West End play. Principals Alastair Sim and Leslie Banks repeat their legit roles.

Rialto feature around the David Hume thriller, 'This Man Is Dangerous,' underway at Welwyn. John Argyle produces for Pathe. Starred is James Mason, supported by Mary Clare, Margaret Vyner, Gordon McLeon, Eric Clavering, Frederick Valk.

20th's 'Mr. Kipps' washed up after 13 weeks on the floor. Alfred Roome is assigned to editing.

Mexico City, Feb. 4.

Night club operators here are in a huddle over the special 10% tax on their gross, which the civic government announces for early enactment. The clubmen hired five of the best lawyers in town and sent them to petition the government to reconsider putting this impost into effect, at least for the present, when business is only so-so.

If these taxes go into effect, the clubmen asserted, it will mean that the levy must be added to the customers' checks. The niterymen are loath to do that, feeling that such pricelifting would deprive them of much patronage in these times when everybody is on a thrift plan, waiting for the national economic and industrial reconstruction program to manifest itself a little more.

Saying that they are always glad to cooperate with the civic and federal governments, clubmen ask that the elevated taxes for them be suspended until they get more trade, from the anticipated rush of American tourists here this winter and into the spring. Thus far, though, there hasn't been so very much of a rush of tourists from the U. S. But there are good expectations that there will be flocks of these trippers before the winter is over. The tourists are the money customers of the niteries.

'DEMAND' BRINGS OK ON 'DICTATOR' IN PARANA

'Public demand' is said to have caused city officials of Parana, Argentina, to permit Charles Chaplin's 'Great Dictator' to open there last Thursday (30) despite the ban on the film in Buenos Aires, the country's principal city. Sam Seidelman, United Artists' Latin American chieftain, and Pete Morgan, g.m. for Argentina, were in Parana for several days prior to the okay in an effort to get the film passed.

Other cities in the Argentine, Morgan has cabled UA foreign head Walter Gould, are also expected to grant permission for exhibition of 'Dictator,' as there is great public demand, particularly from interior cities. Each town in Argentina has jurisdiction of what pictures may be shown in its territory. Opening i Parana went off without incident.

'Dictator,' playing in Montevideo, Uruguay, a ferryboat's ride across the River Plata from Buenos Aires, is drawing large audiences from that city. Picture was also given the nod in Costa Rica and Nicaragua last week. Only squawk in Costa Rica, aside from those from German and Italian diplomats, which were disregarded, was from the newspapers. They complained UA was asking too high a price for the film and that this was being passed on to theatregoers.

Brazil is the only South American country where UA has not yet asked permission to show 'Dictator.'

6,200-Seat Flimery Being Built in B. A.

Buenos Aires, Feb. 4.

A 6,200-seat house, largest in South America and one of the largest anywhere, is planned for downtown Buenos Aires, according to plans announced by Jocquin Alberto Lautaret and Pablo Cavallo, local chain theatre owners.

Magnates have set up a new corporation known as ALPA with a capitalization of 10,000,000 pesos ($2,500,000 U. S.) as a starter. Lautaret will be director and Cavallo administrator. New house will be built on ground recently purchased by Cavallo at Suipacha and Tucuman streets, a block off Calle Lavalle, which has many film houses door to door.

Work will start in November and house will be ready to open the following April. In addition to the theatre, project will include 100 apartments, 12 stores, three parking lots holding 1,200, a confiteria (combination tea and tap room), night club, terrace garden and a swimming pool with its own restaurant, gym, etc.

Cavallo and Lautaret already own the Ambassador, Gran Rex, Broadway Normandie and Florida, and are interested in a new house now being completed on Lavalle by Coll, Deflore and Gattl.

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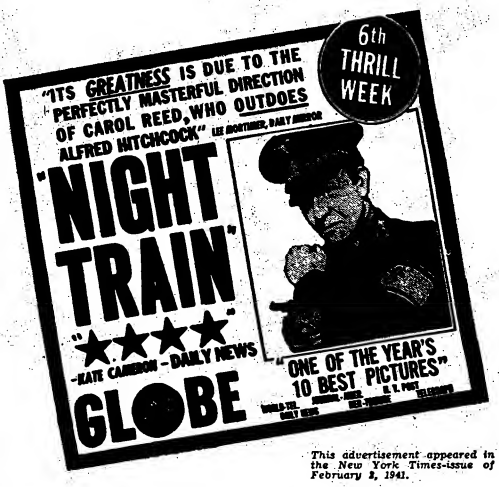

This advertisement appeared in the New York Times-issue of February 2, 1941.

Of course, we're speaking figuratively—no guarantees! However, way back in October VARIETY reviewed a film called 'Night Train'—a British-made picture, directed by Carol Reed.

'A taut, gripping melodrama of steadily-mounting intensity, 'Night Train' may prove a sleeper,' was the reviewer's description, after a projection-room showing. He added, 'This picture is such a potent thriller that it can hardly fail to draw enthusiastic reviews, comment and attendance.'

In the absence of Hollywood name-stars, 'Night Train' was passed up, first run, by most of the leading circuits. So the management of the Globe theatre, on Broadway, booked the film, gave it good advance exploitation—and the result is now a matter of record. 'Night Train' is in its sixth week, and continuing. Exhibitors elsewhere are 'discovering' it.

The moral of this is that VARIETY reviews pictures from the showmanship angle for the benefit of showmen who are alert for the unusual, out of routine, type of attraction.

Oh, yes. The '25 cent investment', mentioned above, is the newsstand price of VARIETY everywhere.

VARIETY
154 WEST 46TH ST.
NEW YORK

Reprinted from Variety issue Oct. 30, 1940

NIGHT TRAIN

(BRITISH-MADE)

20th-Fox release of Maurice Ostrer (Gaumont-British) production. Stars Margaret Lockwood, Rex Harrison; features Paul von Hernreid. Directed by Carol Reed. Screenplay, Sydney Gilliat and Frank Launder; from original by Gordon Wellesley; camera, Otto Kanturek; music, Louis Levy; editor, R. Dearing. Reviewed in Projection Room, N. ., Oct. 23, '40. Running time, 90 MINS.

Anna Bomasch	Margaret Lockwood
Gus Bennett	Rex Harrison
Karl Marsen	Paul von Hernreid
Charters	Basil Radford
Caldicott	Naunton Wayne
Axel Bomasch	James Harcourt
Dr. Fredericks	Felix Aylmer
Dryden	Wyndham Goldie
Roberts	Roland Culver
Schwab	Ilot Makeham
Kampenfeldt	Raymond Huntley
Capt. Prada	Austin Trevor
Controller	Kenneth Kent
Admiral Hassinger	C. V. France
Gestapo Officer	Fritz Valk
Teleferic Attendant	Morland Graham

A taut, gripping melodrama of steadily-mounting intensity, 'Night Train' may prove a sleeper. It may suffer because of the inevitable comparisons that will be drawn to 'The Lady Vanishes,' with which it has several factors in common. However, this picture is such a potent thriller that it can hardly fail to draw enthusiastic reviews, comment and attendance.

Made by the same British studio that turned out 'Lady Vanishes,' the film also has the same general subject matter, the same screenplay writers, again has Margaret Lockwood in the femme lead, and even makes similar use of Basil Radford and Naunton Wayne as two tourist Englishmen with a ludicrous interest in cricket. The picture thus gives a kind of constant transmigratory effect, as if the spectator had seen it all somewhere before. Even so it carries so much suspense and such a stunning climax that it should click despite its dubious originality.

Much of the film's merit obviously stems from the compact, propulsive screenplay by Sydney Gilliat and Frank Launder, and the razor-edge direction of Carol Reed. Story by Gordon Wellesley opens in the tense days of August, 1939, with a Nazi espionage agent in London recapturing two Czechs who have escaped from a concentration camp, an aged armor-plate inventor and his pretty daughter. A British Secret Service operative follows them to Berlin and, after an exciting sequence of events, during which war is declared, escapes with them into Switzerland.

Yarn is not only told without a single letdown, but it actually continues to pile up suspense to a nerve-clutching pitch. Picture also catches an extraordinary degree of atmosphere and characterization. Scenes in London carry a kind of mysterious undertone, while the Berlin sequences (including some excellent stock shots) have a terrifying sense of impending danger. Scenes of troop movements and war preparations as news of the outbreak of war is received during the train trip to Munich add more color and excitement, while the headlong chase and escape at the end is a time-tested, melodramatic device superbly handled.

Carol Reed's direction is worthy of the best thrillers of Edgar Wallace, for whom he was for many years stage manager. It is every bit as good as Alfred Hitchcock's job on 'Lady Vanishes.' Margaret Lockwood is an appealing heroine and her performance is direct and persuasive. Rex Harrison is properly suave as the ubiquitous British operative, while Paul von Hernreid is rightly cold as the treacherous Gestapo agent. James Harcourt is believable as the inventor, and Felix Aylmer is convincing as a German spy in London. Radford and Wayne repeat their goofy Britisher performances of 'Lady Vanishes' and again click. The various Nazi officials in Berlin are excellently drawn and there are countless touches of atmosphere and comedy that add immeasurable flavor and zest to the picture.

The English are traditionally masters of melodrama, and 'Night Train' is a representative achievement. And, incidentally, it should prove better propaganda than a truckful of exhortative pictures. *Hobe.*

B'way Clicks, 'Arsenic' and 'Lady,' Objects of Hot Bidding by Hollywood

Warner Bros., Paramount and Samuel Goldwyn are the heavy bidders for screen rights to 'Arsenic and Old Lace,' top Broadway legit hit, with a sale expected within a week or so. Three producers are understood to be doing some fancy bidding, the sums being talked hitting around the $250,000 mark.

'Lady the Dark' is attracting even more interest from Hollywood than 'Arsenic,' with four companies in the market. They are Columbia, which has already offered $200,000, Metro, Warners and Paramount. Par owns a large chunk of the show, but under Dramatists Guild rules still must bid in the open market for rights. 'Lady' technically isn't open to bids yet as Guild rules require it be on Broadway three weeks first.

Highest price recently paid for a legiter was the $130,000 passed over by Metro last week for 'Panama Hattie.' Unusual angle is that B. G. DeSylva, the producer, is also a film producer on the Paramount lot. Par was interested in the property, but was outbid.

Interest in Stowe Biog

'Crusader in Crinoline,' biography of Harriet Beecher Stowe, which will be published shortly, has evoked widespread interest from film studios, with Walter Wanger said to be particularly partial to it. Life story of the slave abolitionist and author of 'Uncle Tom's Cabin' is by Forrest Wilson.

'The Countess to Boot,' wacky-type novel, which is also slated to hit the stalls soon, has likewise aroused interest. Hal Roach office is said to be principal enthusiast for the book, which is the first by Jack Iams of the N.Y. News staff. Another volume not yet published to which several film story departments are showing preference is 'No Homeward Course' by Walter Havighurst. It's the story of a German sea raider, the drama arising from crews of five ships it has sunk who are imprisoned in its hold.

Walter Wanger is understood to have paid $15,000 for 'Sundown' by Barre Lyndon, which he recently purchased. Five-part serial, currently running in Satevepost is a love-adventure story laid in British East Africa and with an American hero.

20th's 20G for War Yarn

Hollywood, Feb. 4.

Darryl Zanuck laid $20,000 on the line for a war story by Henry Wales and Samuel Fuller, titled 'Confirm or Deny.' Top role is assigned to Tyrone Power and Fred Kohlmar is assigned as associate producer.

Metro purchased 'Reunion,' a story of Paris under German occupation, by Ladislaus Bus-Fekete.

Paramount acquired 'Dangerous Holiday,' a spy yarn with an American background.

Ben Hecht sold 'The Forbidden City,' a tale of German-occupied Paris, to Alexander Korda.

Republic bought 'How to Die Young,' an auto racing yarn by Robert Andrews.

Russell Rouse and Winston Miller sold their musical comedy to 20th-Fox.

Picture Corp. of America bought 'Forced Landing,' by Maxwell Shane and Edward Churchill.

Republic purchased 'Cinderella in Washington,' by Joseph Poland.

Arthur Horman sold 'Partners Wanted' to Universal.

SCREEN CREDIT SUIT

Eleanor Harris Thinks Bromfield Got All the Bows

20th-Century-Fox Flim filed an answer Monday (3) in N. Y. federal court to Eleanor Harris' $50,000 suit against it. The film company denies charges and pleads an affirmative defense.

Miss Harris is the author of the original on which 'Brigham Young' was based. She worked with Louis Bromfield on the screenplay, and claimed that all she was given credit for was 'story research,' while Bromfield received credit for everything else. 20th Fox claims that she was paid $1,000 for her original and $75 weekly while working on the story, which stops her from claiming any other credits. It seeks a dismissal.

BOOTHMAN 'FINGERED' MINNEAPOLIS HOLDUP

Minneapolis, Feb. 4.

Louis Cowan, projectionist at the Chateau theatre, independent nabe, has confessed to the police that he was the 'finger man' and one of the three participants who carried out the holdup in the $800 robbery of Chateau and Franklin theatres' weekend receipts.

Both houses are owned by the same company and when Fred Berg collected the $800 from the two box-offices Jan. 13 he was forced into an alley at the point of a gun and slugged by two of the men who fled with the money.

On a tip the police arrested a 23-year-old youth who implicated Cowan. The latter admitted that he was familiar with the precedure for handling receipts at both of the showhouses. He put the 'finger' on Berg. While two of the trio attacked the latter Cowan sat in the car in which the getaway was made.

Twin-City Exhibs Register Beef Vs. Army Camp Films

Minneapolis, Feb. 4.

The military reservation at Ft. Snelling, located midway between Minneapolis and St. Paul, showing current releases at 17c and advertising them open to the general public at the post theatre, has clearance over Twin City 20c houses, Northwest Allied State is complaining.

Efforts will be made to 'rectify this situation' through the Hays organization and local conferences.

The independents are up in arms, too, because the University of Minnesota at its campus theatre and high-schools in their auditoriums, are showing feature films open to the public for a nickel admission. It's charged that this is 'unfair opposition' and the film companies will be requested to discontinue servicing such accounts.

1,000-Seat Camp Cinema

Detroit, Feb. 4.

Ahead of the pace of new barracks and hospital, Camp Custer completed its 1,000-seat picture theatre last week.

Capt. Alfred Plaenert, construction quartermaster, said the new house would go into operation as soon as the Army installed the picture equipment.

New Des Moines House

Des Moines, Feb. 4.

New $25,000 picture house for this town is set by the East Des Moines Theatre Corp. The theatre company is a partnership including Tri-States Theatre Corp. and Roy and Lewis L. Lepovitz. New house will seat 700 and is expected to be ready for opening in four months.

Cleve Telenews Preems

Cleveland, Feb. 4.

Herbert Scheftel, prez of Telenews chain, and other execs in corporation flew in for a pre-view of their new Cleveland newsreel house which was officially opened by Mayor Blythin in broadcast ceremony.

Irving Rueben house manager.

Rosenfeld's Welcome

Dunbar, W. Va., Feb. 4.

Lester Rosenfeld, operator of only theatre here, plans to build a new house, to be known as the Welcome, with 600 seats. He also owns the Best, Kanawaha City.

Tracy's Double Header

Hollywood, Feb. 4.

'Dr. Jekyll and Mr. Hyde,' starring Spencer Tracy, goes into work tomorrow (Wed.) at Metro.

Victor Fleming directs and Victor Saville produces.

20th's Pix Shoved Around

Hollywood, Feb. 4.

Darryl Zanuck made two switches in his production schedule owing to the war and other causes. First shift shoves 'Miami' ahead of 'A Yank in the R.A.F.,' due to the delay in receiving official Royal Air Force films from England.

Sonja Henie's starrer, 'Sun Valley,' goes before the lenses ahead of 'Belle Starr,' which has been deferred to await better outdoor weather conditions.

'Company Union' Charge Is Laid To Walt Disney

Hollywood, Feb. 4.

Walt Disney Productions is charged with unfair labor practice in a complaint filed with the National Labor Relations Board by Screen Cartoonists Guild. Warning was also served on Disney unless he immediately disbands 'company union' his pictures will be placed the unfair list in U. S. and Canada in theatres and those showing his pictures will be picketed.

Meeting of union heads has been called for Thursday night (6) to discuss the theatre-picketing move.

Cartoonists Guild, chartered by the Brotherhood of Painters, Decorators and Paperhangers of America (AFL) complained against Disney, based on his alleged domination and interference with administration of the Federation of Screen Cartoonists to which he contributed financial support. FSC was formed by cartoonists at the Disney plant.

STAGEHANDS SIDESTEP MPLS. PRODUCT BATTLE

Minneapolis, Feb. 4.

William Donnelly, business agent of the stage employees' union, has repudiated the action of the Central Labor Union, comprising all of the American Federation of Labor bodies here, in going to bat for the 4,000-seat Minnesota theatre, operating independently with a vaudfilm policy.

Donnelly explains that he wasn't present when a resolution was adopted protesting because of the Minnesota theatre's inability to obtain major screen product, practically all of which is sewed up in the loop here by the Minnesota Amus. Co. (Paramount) Mort. H. Singer pool, and asking for investigation by the authorities of alleged unfair trade practices.'

At the next Central Labor Union meeting, Donnelly announces he'll make it clear that the stage employees' union didn't have any hand in the resolution's sponsorship and 'don't want any part of it.' As regards any fight which now may be occurring between the Minnesota theatre company and Paramount-Singer involving screen product, his union is entirely 'neutral,' he declares.

'All theatres in the city employ members of my union, when necessary,' explains Donnelly. 'We, therefore, aren't playing any favorites. If the employers want to scrap that's their business. We're not concerned about the picture situation and don't intend to get mixed up in it.

'In order to facilitate the reopening of the Minnesota theatre, the stage employees' union made the house numerous substantial concessions. That is as far as we are prepared to go.

'The Minnesota Amus. Co. and Mort H. Singer houses here also employ union labor. I, as business agent of the stage employees' union, deal with all the companies and I'm friendly to both sides. We do not intend to stick out our necks by mixing in a battle to which we're not a party and we're not charging any unfairness.'

Thus far nothing has come of a proposed union mass meeting in the municipal auditorium to launch a campaign in the Minnesota theatre's behalf.

BEAUDINE BANKRUPT

Los Angeles, Feb. 4.

William Beaudine, high salaried film director of a few years ago, filed a voluntary petition in bankruptcy in Federal Court.

Petitioner lists assets amounting to $5,050 and debts of $29,719.

SWG Approves Deal Calling For Services of a Negotiator; Franchise Pact Given Okay

Hollywood, Feb. 4.

The Screen Writers Guild has approved franchise deal with film agents which calls for appointment of a negotiator to handle the sale of all motion picture material by scriveners. It will be the duty of the negotiator to secure bids from all studios on original stories, ideas, etc. The writers claim this would eliminate chiseling, and would assure a screen writer of securing the highest possible price for his material.

Another clause in the licensing agreement, which is expected to be submitted to the Artists Managers Guild this week, provides for cancellation of an agency contract at any time a writer is not provided with work during a period of 60 days. Other details provide for a maximum 10% commission to agents, and prohibits a writer from employing any agent that is not licensed by the SWG. Arbitration machinery would be set up to handle all disputes between an agent and his clients.

Studio projectionists, electricians and other film workers affiliated with the International Alliance of Theatrical Stage Employees are demanding a minimum six-hour work call. The present minimum is three hours. None of the locals, however, is pressing its demands pending word from the east as to the attitude of International officers. The latter have insisted the locals are on their own and are sitting back waiting to see how they fare with local autonomy. It is generally reported here that the International has instructed producers to 'shove the boys around' a little to see if an appeal is not made for the International to step in and handle negotiations.

Projectionists also are demanding pay for standby calls for house runs and a minimum wage of $2 per hour for regular projectionists. The present minimum wage scale is $1.66. Motion Picture Projectionists Local 165 has directed that negotiations with producers be opened immediately, and has designated James Brigham, prexy; Jack Payne, secretary, and John Swartz, business representative, as a committee with full power to set a deal.

Local 165 is asking a minimum of $3 per hour for process projectionists, with a weekly minimum of $110 for 40 accumulative hours. The pay of a chief projectionist would range from a minimum of $110 per week to $130, depending upon the number of projectionists employed by a studio.

Prop Concern Aligns with AFL

The Cinema Mercantile Co., which furnishes props to the major studios, has inked a contract with the American Federation of Labor. Workers included in the pact are studio carpenters, painters and electricians. The deal was set by Aubrey Blair, AFL organizer; Herbert Sorrell, business representative of Moving Picture Painters Local 644; Al Speede, business representative of International Brotherhood of Electrical Workers Local 40, and Williams Castle, business representative of the Studio Carpenters.

The National Labor Relations Board has certified the Screen Cartoonists Guild as collective bargaining representative for the workers at Screen Gems, Inc. A cross-check of Screen Gems payroll with the SCG membership disclosed a majority of the workers are affiliated with the union.

Ed Gilbert is the new president of Screen Set Designers. Other officers are Carl Denny, vice-prexy; Harry Helso, secretary, and Joe Sternad, treasurer.

Direct Billing Voted

The Los Angeles Chapter of the American Guild of Variety Artists has voted in favor of direct billing by performers, and for substantial tilts in all wage minimums. The clause on direct billing provides the office must be notified of all contracts 24 hours before the engagement starts. It also relieves the player of the necessity of paying an agent 10% to close the contract.

The membership directed that the minimum for 'D' spots be hiked from $25 per week to $30; for 'C' spots from $30 to $40 per week, for 'B' theatres and niteries from $40 to $50 per week, and for all spots which fall in 'A' classification from $50 per week to $60 per week. The minimum for club dates also would be hiked from $7.50 to $10.

The Superior Court has set March 19 as the trial date for the suit of Henry J. MacIsaac and Julius Neilsen against the International Alliance of Theatrical Stage Employees. The complainants are seeking to force the reinstatement of themselves as well as other members who were expelled because of their activities during the fight between the IATSE and the United Studio Technicians Guild.

Actor Parleys Resume

Negotiations between the Producers and the Screen Actors Guild will be resumed Thursday (6). The Guilders are seeking reclassification of all extra brackets in an effort to provide more calls in the higher wage minimums and increased pay for day-players and free-lance actors. Kenneth Thomson, executive secretary of the SAG, is drafting the demands for the Guild.

The Studio Utility Employees Local 724 has adopted a resolution calling for three compulsory meetings per year for educational work on labor matters. The first of these will include an outline of the functions of the AFL and a study of the State and Central Labor Council bodies. Study is being prepared by L. C. Helm, businessx representative of the local.

The Screen Office Employees Guild has nixed a proposal of major film companies to set individual deals with the SOEG. The Guild is insisting upon joint negotiations in order to establish a uniform wage scale through the industry for the clerical employees. In a letter to the various studio heads, George E. Bodle, counsel for the SOEG, stated:

'It is the intention of the Guild to negotiate a uniform contract with all studios for which the Guild has been certified as collective bargaining representative. The Guild can find no justification for a departure from the ordinary procedure of the Producers in negotiating industry-wide contracts. The Guild believes that not only will there be a great saving in time and energy in the negotiations of a uniform contract, but also that the negotiation of such a contract will benefit both the Producers and the office employees by establishing uniform rates for the same type of work and thereby placing each studio on the same competitive basis.

'In accomplishing this, there is no reason why any studio should be prejudiced, where the class of work in one studio differs from that in another studio, this distinction can be recognized by the creation of new wage classifications in the contract. In view of the foregoing, the Guild therefore requests that you undertake with the other Producers for whose employees the Guild has been certified to negotiate a contract on an industry-wide basis.'

Mason SPG Prexy

Lesley Mason has been re-elected president of the Screen Publicists Guild. Other officers are Gerry Breitigam, vice-prexy; Walter Ruf, treasurer, and George Thomas, Jr., secretary. Al Rackin and Jack Cooper were designated as delegates to the Hollywood Guild Council.

The Screen Directors Guild has joined the Screen Actors Guild in opposing enactment of the Voigt Assembly bill to regulate film agents. Both groups claim passage of the measure would result in price cutting on salaries of actors and other artists, and would bring about chaotic conditions in casting of principals for picture productions.

Stooges End P.A. Tour

Hollywood, Feb. 4.

Howard, Fine and Howard (The Three Stooges) have returned here after a five-month personal appearance tour, and report at Columbia to complete their 1940-41 schedule of two-reel comedies.

First for the trio will be 'Heebie Gee Gees,' by Felix Adler, which Del Lord will direct.

DAILY MIRROR SATURDAY FEBRUARY 1 1941

Damon Runyon's

The Brighter Side

Reg. U. S. Pat. Off.
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In a middling-sized city the other day at two movie theatres showing "Gone With the Wind" at popular prices, they had ropes up keeping the crowds in line. We are told that the same situation exists wherever they are putting on the picture for its second run and this, we think, should be a fine object lesson to the movie makers who occasionally become pessimistic over the future of the cinema.

If they give us cash customers genuine entertainment, we will do the rest, now and through the years to come. That is all "Gone With the Wind" is—entertainment. It is just an enthralling story told in the best manner of the screen. It has already hung up a new record for money grossed and this in a time when the world market is not what it used to be and before it is finally laid away on the shelf it will probably play to more cash customers and consequently more money than any half dozen pictures in the history of the industry combined.

"Gone With the Wind" is now an oldie as the age of pictures go. It has played all the big first run cities at advanced prices, and to jammed houses. You would have thought it must have absorbed all the trade possible to one picture, because even the cash customers who are usually content to wait until an offering gets down to the lower levels at the box office stretched a financial point to see it. But here it is doing a land office business all over again, and we suspect that some of this business is repeat stuff.

THAT IS, many cash customers who saw "GWTW" before are seeing it again, which is a further tribute to its entertainment value, especially when it is playing against numerous new pictures. We personally welcome the return of the picture because we know it will prove an antidote to a severe attack of screen poisoning that we sustained recently. One of those sad message pictures that come out of Hollywood in cycles leaped out on us in a theatre not long ago and bit us. The result was a spell of deep depression and complete lassitude toward all suggestions of theatre going.

A victim of screen poisoning, which is a malady peculiar only to cash customers, can scarcely abide the thought of seeing another picture for awhile. It produces dark thoughts of vengeance against the makers of the picture. Sometimes a victim has been known to sit brooding for hours at a stretch wondering where he might find the producer and the director and the authors and even the performers and give them what-for.

THE CONDITION is usually only temporary, as in our case, and can be promptly cured by something like "GWTW." We have already seen it three times, which is quite a job of seeing if you recall the lnegth of the picture. That is not a record with us, however. We think we have seen "Birth of a Nation," counting revivals and all at least half a dozen times and we gave the Disney short, "Three Little Pigs," our business on no less than ten different occasions.

It might be argued that "GWTW" is a sort of freak in the picture business the like of which will never be seen again and that it cannot be used as a yardstick on pictures generally. We do not think this is true. We think that any picture with the same entertainment value would do the same business. We think this picture is definite proof that the movie makers have just scratched the box office possibilities of their game. When they stick to entertainment and entertainment only they are sure to be rewarded. The old gag still holds true—"There is nothing wrong with the pictures that a few good pictures will not cure."

BUT THERE REMAINS among the picture makers and especially, we think, the directors, that same curious misapprehension as to what constitutes entertainment value that has prevailed since the inception of the industry. We find it in the gloomy message cycles that produce the screen poisoning among the cash customers and in the arty efforts which win the encomiums of the critics but which are not entertainment within the purview of the cash customers.

"GWTW" should be run at least once a week in Hollywood for years to come and all directors required to be present at every showing, with some representative of us cash customers announcing to them at intervals: "See, boys, that is what we mean."

Pix Jam-Up Again Appears Likely In Philly With Rash of Extended Runs

Philadelphia, Feb. 4.

A bottle-neck of product in prospect for the Philly area again. The situation comes as a result of the skedded opening of 'Fantasia' Feb. 12 at the Aldine and the long-runs for several other pictures, which has caused a jam-up of film in the downtown houses and is bound to affect the nabes soon.

'Fantasia' will take one first-run house out of the field entirely. The Aldine is the usual showcaser for initial run of United Artists product and other 'class' films. 'Philadelphia Story' is in its third week at the Boyd and may stay a long while downtown; 'Gone With the Wind' is set for a long term at the Stanley at pop prices, while 'Kitty Foyle' is in its sixth week in midtown—three weeks at first-run Boyd, and a like term at subsequent-run Keith's.

Meanwhile, distribs are yelling for spots for their product. 'The Lady With Red Hair' was forced to open at the Karlton, usually a subsequent-run house, while 'Tall, Dark and Handsome' bowed-in at the Stanton, a spot usually reserved for B pix. These houses have about half the seating capacity of the usual first-run spots, and consequently won't gross what they would if they opened at the Stanley, Boyd or Aldine.

The nabes will feel the pinch within about a month, the usual time it takes product to filter down here. The same situation occurred last year, when 'Gone' was running simultaneously at two first-runs—Earle and Boyd.

Playing It Safe

RKO apparently can't make up its mind whether the Panama Canal is an American epic or a scandal. So it's registered a title on each side and one neutral one to take care of all eventualities.

Labels are 'American Saga: the Panama Canal,' 'Panama Scandal' and 'The Panama of Panama.'

GN, LTD., TO DISTRIB PRC FILMS IN CANADA

Producers Releasing Corp. has concluded a deal with Grand National Films, Ltd., for the distribution by latter of all its product in Canada, including Sigmund Neufeld's three groups of westerns. Negotiations were consummated by Leon Fromkess, PRC's export manager in New York. O. Henry Briggs is president of the company.

In line with the deal made, the name of Grand National Films, which has branches in six Canadian keys, will be changed to Producers Releasing Corp. of Canada and Newfoundland. PRC has a schedule of 38 features on this season's program, including eight westerns.

GOLDENSON'S DIXIE TREK

Huddling With Sparks and Lynch in Fla.

Leonard H. Goldenson, top Paramount theatre executive, leaves tomorrow (Thurs.) for Jacksonville, Fla., where he will huddle with E. J. Sparks, company's partner in Florida, followed by a tour of all east coast towns of the state in company with Sparks.

Going on to Miami, Goldenson will discuss local operating matters and problems with S. A. Lynch, subsequently taking a vacation of a week or so. He may go on to Havana for a portion of that, returning to the Par h.o. about Feb. 25.

The Par theatre convention will be held in Virginia toward the end of March, but as yet the exact date has not been set nor the site, though Feb. 27-28-29 has been mentioned, together with Hot Springs as the town.

PDC's 50% Sked Set

Producers Releasing Corp., with schedule of 38 pictures announced for 1940-41 season, has released almost half up to this time. It has turned out 16 pix in all, of which nine have been westerns and seven features.

Five productions are now on the release schedule. They include three westerns and two dramas.

Coyle Joins PDC

Hollywood, Feb. 4.

John T. Coyle became an associate producer at PDC, with 'Federal Fugitives,' by Martin Mooney, his first assignment.

Last year Coyle produced 'The Great Commandment,' which was bought by 20th-Fox.

Schaefer's 'Jason'

Hollywood, Feb. 4.

Armand Schaefer was assigned as associate producer on 'Jason, the Bucket' a new yarn purchased by M. J. Siegel for Republic.

In adition to 'Jason,' Schaefer is readying 'County Fair' and 'The Old Gray Mare.'

Alice Faye Re-Pacted

Hollywood, Feb. 4.

Alice Fay sticks at 20th-Fox for at least another year.

Actress, currently starring in 'The Great American Broadcast,' has had option on her contract lifted for the 12-month period.

OUT OF HIDING

Hollywood, Feb. 4.

Two years on the shelf, 'Secret Ship,' a tale with a spy background, is being readied for production by Columbia.

Alex Gottlieb, now a Universal producer, wrote the story.

Orders Immediate Trial Of Suit Over 'Ecstasy'

A temporary injunction preventing Eureka Productions from continuing the distribution of 'Ecstasy,' and the appointment of a receiver for the picture, was denied Max Weingarten and Michael M. Wyngate Friday (31) by N. Y. supreme court Justice Lotte A. Valente. The court ruled that the defendants must agree to an immediate trial of the issues and ordered plaintiffs to set the date.

Suit seeks $100,000 damages and the rights to the picture, claiming that Eureka had the rights for five years up to Oct. 23, 1939, and has been distributing it since without permission. Plaintiffs claim to have purchased subsequent rights from the producers, Elekta Film Corp. of Czechoslovakia. Other defendants are Samuel A. Cummins, Jacques A. Koerpal and Rose Chatkin, all officials of Eureka Productions.

Roxy's 37½c Divvy

Roxy Theatre, Inc., a subsid of 20th-Fox, declared a quarterly dividend of 37½c. on its preferred at a meeting held last Friday (31). This maintains the usual annual rate of $1.50 on these shares.

Divvy is payable March 1 to stockholders on record Feb. 15.

Select Takes 'Air'

Select Attractions has closed a deal for the general release in this country of 'It's in the Air,' English-made which was recently brought over and shown in one of the New York arties.

It was produced by Basil Dean and has George Formby, English comedian, as the star.

Bicycles Wanted

New gag is making the rounds of film jukebox operators, who claim that distributors are going to any lengths to sell their machines over their competitors.

One manufacturer, it is said, promises that performers featured in his films will do a p.a. with each machine he sells—four minutes to each location.

Mpls. Exhibs Didn't Get Any Part of Prosperity, Bank Report Indicates

Minneapolis, Feb. 4.

Federal Reserve bank report here shows that Northwest business volume in 1940 reached its highest level since 1929 and 1930 and the single month of December showed heavier activity than any December in 11 years. But, say Twin City independent exhibitors, it ain't so as far as they're concerned. They insist that 1940 was one of the worst years they've ever had, with operating costs 'way up' and grosses 'far down.'

There's no denying the Federal Reserve bank figures, the exhibitors concede, but, they argue, the public apparently has been spending its money for things other than pictures. Other forms of entertainment and night spots, along with the radio, beer parlors, night clubs, bowling and cards, have cut deeply into theatre grosses, according to the exhibitors.

The Federal Reserve report describes the agricultural situation as being 'the best in the depression decade 1941 opened.' And this territory — the Northwest — depends mainly on agriculture for its well being. When there's farm purchasing power there's prosperity throughout the section.

Among other things, the bank report points out that Minnesota employment averaged 5% higher than in 1939 and was larger than any other year in the bank's seven-year records.

LOEW'S $1,936,245 NET IN 12 WEEKS

Loew's, Inc., net profit for the first 12 weeks ended Nov. 21, 1940, totaled $1,936,245, as against $1,393,456 in comparable period in 1939. This is equivalent to $1.04 on the common as compared with 71c in corresponding period in the previous fiscal year. This 12-week period is the first covered by the company in its new fiscal year, which started Sept. 1, 1940. Net profit represents a gain of $542,789 over the previous year's initial period.

Company's operating profit before depreciation, taxes and $500,000 reserve for contingencies amounted to $3,805,255, or nearly $800,000 greater than the comparable period of 1939. Improvement in net profit was made in the face of nearly $245,000 increase in taxes and depreciation deductions. Loew's report figures the net profit as equivalent of $14.16 on each preferred share against $10.19 reported in the corresponding period of the previous fiscal year.

Loew's reported its net profit at $8,908,469 in a statement to stockholders the middle of last month, after writing off $2,000,000 as reserve for contingencies. Company is continuing this policy of writing off such reserve for contingencies, showing $500,000 deducted the first 12 weeks of its new fiscal year.

Goldman, via Erlanger, Entering 1st Run Field vs. WB in Philly

Philadelphia, Feb. 4.

William Goldman, president of William Goldman Theatres, Inc., large indie circuit in the Eastern Pennsylvania area, last week served notice publicly that he was out to give the Stanley-Warner circuit its first competition in the first-run field in downtown Philly. Goldman sent a letter to all the distributors declaring that he was on the market for first-run product for his Erlanger, 1,859-seater in midtown. The Erlanger, built in the late '20's, has been used variously as a legit theatre and filmer. Goldman took it over last November and has rented it for several legit shows since.

In his letters to the distribs, Goldman pointed out that the Erlanger was 'successfully' operated by RKO as its first-run outlet during the 1939-40 season. 'You will be glad to know,' he wrote, 'that we shall be able to afford your pictures an opportunity to earn all the film rental they are entitled to get.

'You know, of course, that the Erlanger is a $2,500,000 theatre, with new sound equipment and 1,859 seats, and will charge the same admission price as the Stanley and the Boyd (Warner deluxers), and will be able to give pictures extended runs. It will offer, too, the benefit of high-powered exploitation and advertising, and terms the pictures merit.'

Goldman also wrote that he would be 'interested' in any pictures which the distribs contemplated road-showing, or selling singly during the buying season commencing next August.

Recently it had been reported that Warners had sought clearance for its Center, a third and fourth-run house, over the Erlanger. Goldman had threatened to bring suit if this protection was granted. C. Brewster Rhoads, Goldman's attorney, sent letters to Warners and the distribs pointing out that clearance for the Center would constitute a violation of the consent decree. The Center seats about 500.

After some dickering, Warners is said to have dropped the idea of getting preference for the Center.

Farewell to Arms

Philadelphia, Feb. 4.

Here's the latest draft comedy here:

Cecil Felt, operator of the indie Bluebird, had his number pulled and was ordered to report for service.

Members of his family threw him a gala farewell party. Then the Variety Club tossed him a shindig to bid him goodbye. Not to be outdone, the Showmen's Club, an outfit made up of younger men in the film biz, gave him a lallapalooza of a party the night before the departing hero was set to go to camp. In addition they gave him a handsome going-away present.

Came the dawn and Cecil went to the Armory for the final checkover. The Army took one look and turned him down.

Now Felt is pondering on whether to throw a party for the party-throwers.

LITTLE AMUS. STOCK ACTIVITY IN NOV.

Washington, Feb. 4.

Holdings of Paramount Pictures, Inc., $1 par common stock, were doubled by Anson C. Goodyear, New York director of the company, in November, according to the latest report of stock exchange transactions released by the Securities & Exchange Commission.

Through the purchase of 1,000 shares of the stock, Goodyear brought his total holdings to 2,000 shares. Also listed as possessing 300 shares of 8% convertible first preferred stock in the company in his own account and of having an interest in an additional 300 shares of the same type stock held in trust.

Only other film stock transaction listed for the month of November was purchase by Preston Davies, New York director, of 30 shares of 8% cumulative first preferred stock of Universal Pictures Co. Davies already owned 100 shares of the company's $1 per common.

Quiz Jake Wilk

Jacob Wilk, eastern story editor of Warner Bros., was examined before trial Thursday (30) in the N. Y. Federal court in connection with a suit by Katherine Moog against the film company.

Warner Bros. is being sued for $75,000 alleged libel in 'Confessions of a Nazi Spy,' with Miss Moog charging that the role played in the film by Lya Lys was meant to portray her.

Suit of Milton Herbert Cropper against Warner Bros. Pictures, Inc., was dismissed Wednesday (29) after trial by Judge John Foster Symes in the N. Y. Federal court. Action claimed the plagiarism of plaintiff's play, 'Ex-Racketeer,' in the picture 'Alcatraz.'

An injunction, accounting of profits and damages had been sought in the action, which claimed the play was submitted to Warner Bros. in 1934 and rejected.

WB PAYS 96¼c ON PFD. STOCK, 1ST SINCE '32

Dividend payments on the Warner Bros. preferred shares were resumed last week after none had been paid since March 2, 1932. Directors at a special meeting voted a distribution of 96¼c, this being listed as a current divvy. The dividend, totaling $95,-881.36 on the 99,617 shares presently outstanding, will be paid March 1 to stockholders on record Feb. 14. The divvy is the regular quarterly based on the $3.85 annually paid on this Warner preference issue.

Warner Bros., in its most recent financial report covering the first quarter of its fiscal year ended last Nov. 30, showed approximately $33.68 arrears due on each share of preferred, or about $3,355,848 unpaid dividends on this stock.

Action on the preferred dividend came as a surprise both to stockholders and Wall Street because there was little hint at the stockholders' annual meeting late in 1940 that such action was under consideration. Nor was any mention made of the possibility in the annual report for the fiscal year ended last Aug. 31. Company at that time showed an earned surplus of $4,445,330. Warner Bros. then also reported $2,179,000 principal amount of the 6% debentures, series due in 1948, as held in the company's treasury, or a sufficient amount to meet sinking fund quirements through Dec. 15, 1943.

WB's net operating profit of $1,276,-316 was reported for the 13 weeks ending Nov. 30, 1940, the first fiscal quarter of the corporation, or $12.81 on the preferred and $1c on the common. This net was approximately double that shown the comparable quarter of the preceding fiscal year.

Loew's (Metro) Earnings, 1930-40

Net profit, except as noted: (†) deficit.

1930	$14,600,332
1931	11,829,993
1932	7,961,314
1933	4,034,290
1934	7,479,897
1935	7,579,744
1936	11,076,823
1937	14,426,062
1938	9,924,934
1939	9,841,531
1940	8,908,469

(1940 by Quarters)

First Quarter	Second Quarter	Third Quarter	Fourth Quarter
$1,393,456	**$5,396,372	$1,206,568	$912,075

**First 16 weeks ended March 14, 1940.

(1941 by Quarters)

First Quarter	Second Quarter	Third Quarter	Fourth Quarter
$1,936,245	.....	.....	.....

(Fiscal year ends approximately Aug. 31)

Hilton New Sales Mgr. Of Consolidated Film

Robert B. Hilton has been named sales manager for Consolidated Film Industries, largest film printing company in U. S. He has been with Consolidated for nearly nine years, working up from the ranks.

He will headquarter in New York.

Welles Has 25% of 'Kane'

Continued from page 4

tinuous huddles with lawyers since Welles' arrival from the Coast.

Reports on the Coast that a rapprochment had been reached between Welles and Hearst and that the film would be shown at San Simeon for the publisher to make desired cuts were heatedly denied in New York. Welles and RKO's entire legal stand, it is pointed out, is based on the insistence that the picture is not about Hearst. To show it to him for editing would completely upset that position.

Heart Stance

Hearst papers, incidentally, which had a ban on mention of RKO or its products—except for a one-paragraph squib occasionally in some of the papers with which RKO had previous understandings with advertising departments—have again begun reviewing RKO pictures. Reviews of 'Playgirl' and 'Saint in Palm Springs' appeared in the N. Y. Mirror Friday (31).

Mirror, too, has been soliciting RKO for a color ad for 'Citizen Kane.' Nevertheless, Hearst's Cosmopolitan mag turned down a page ad for the picture in its March issue. 'Too full to take any more advertising' was the explanation.

All sorts of pressure is said to have been exerted on not only members of RKO's board, but on execs of other major companies. Louella Parsons, Hearst Hollywood rep, who initially called to her boss' attention the similarity of life and picture, is stated to have been so busy on the telephone during the past three weeks she hasn't even had time to write her column.'

Other Pressure

Extreme bit of pressure is said to have come Saturday (1) from Samuel Goldwyn and Louis B. Mayer, Metro chieftain. They are understood to have phoned Hedda Hopper, Hollywood columnist, and entreated her not to go ahead with plans to broadcast a six-part story of Welles' life. She is a friend of Welles' and is reported to have tipped him off. Serial begun Monday (3) night as slated.

Others who are understood to have been contacted directly by phone by Miss Parsons are David Sarnoff, prez of RCA, chairman of the board of NBC and a former chairman of the RKO board; Joseph Schenck, 20th-Fox topper; Nicholas Schenck, Metro biggie; Van Schmus and the Rockefellers.

Mention has been made of Hollywood forming some sort of pool and buying up the negative to avoid a general attack on the industry by the Hearst press, which has been threatened. Welles definitely is against such a proposition, the report. Film as it stands represents $786,000, of which $746,000 was production cost and $40,000 is in magazine ads, which it is now too late to cancel.

Several major circuits are said to have accepted commitments on 'Kane' back in October. Broadway opening, if Music Hall should take it, wouldn't be possible until almost the end of March, although the film is now complete, running 117 minutes in final edited form. Possibility is seen, also, that the film will be roadshown.

Welles is said to have continued to deny to the RKO board and execs that 'Kane' is Hearst and pointed out more dissimilarities than similarities. He even claims that the film carries its own denial in that it actually mentions Hearst in dialog something like this: 'Who is this man Kane? He is a great yellow journalist like Munsey, Hearst and Pulitzer.'

3 More for RKO

Welles 10 days ago signed an extension of his original pact with RKO for three films. It still calls for only three pictures, including 'Kane,' but an extension of the time involved was required by the producer's failure to get started as originally planned.

His next picture must be in production by April 1 and the third must go into preparation 90 days after that. Next film is still untitled, but final script has been completed in the two months since shooting wound up on 'Kane.' It will star Welles and Dolores Del Rio, whom he has said he intends to marry when her divorce decree becomes final. She is also in New York at present.

Film will be 'an honest picture about Mexico,' lensed in Mexico City and in the Mexican welt. Third picture under the pact is still entirely undecided.

Mexican film will be made for RKO by Welles entirely without pay to himself. That's the result of an early deal with Schaefer, when Welles originally intended to make 'Heart of Darkness' and 'Smiler With a Knife' as his first two films for RKO. 'Darkness' was a highly experimental affair, and RKO was against it. He finally won permission to do it by promising to make 'Smiler' for free. Then, because of an extensive miniature set required, he was to make 'Smiler' before 'Darkness.'

'Smiler,' however, had a bigger femme lead role than male. It required someone like Carole Lombard or Rosalind Russell, who wouldn't consider it because it was highly unusual part, and they weren't sure what a novice film director like Welles might do with them. Meantime, the 'Kane' idea was developed and the other two films were dropped. Which still, however, left Welles with 'Production No. 2' to do for free.

$150,000 Advance

Welles got a $150,000 advance on his 25% from the first picture, which is all that has been received from RKO. His staff was charged to production cost on the film—such things as his demand for his own publicity setup causing a considerable burnup by the parallel departments in the RKO layout.

Welles went heavily into debt on his last legit production, 'Five Kings,' which folded on the road, and much of the original $150,000 went to pay these loans. He pieced out his expenses with radio coin and a couple of lecture tours.

Plans now are to complete the next two pictures as quickly as possible and take a vacation. He wants to open in 'King Lear' on Broadway in December, running eight-10 weeks, and then going on the road for a short tour, which would permit him to be back Hollywood for more picture-making in the summer of 1942.

'Heart of Darkness,' it it should ever be made, will probably be one of Hollywood's most unusual films. The camera actually plays a character part and is given a name—Marlow. It talks to the other characters and they to it, although it is never seen. Welles is understood to be willing to sell this or the 'Smiler' script for $20,000.

Weisl Back to N. Y.

Hollywood, Feb. 4.

Edwin Weisl headed for New York after discussing various legal phases of RKO matters with Floyd Odlum at latter's ranch on the desert.

Tax Service

Continued from page 2

pendents, and heads of families whose gross income is $2,000 or more. Deductions for expenses are the same as for former years, and include:

Cost of accountant; automobile, if used for business; attorneys' fees, if connected with profession; managers', booking agents' or brokers' commissions; costumes, including upkeep; depreciation on musical instruments or stage equipment; dues for professional memberships and labor unions; entertainment of newspaper representatives, expenses of consultations with authors and directors; taxi fares and general expenses when playing benefits; expense of musical arrangements; insurance on practically all items but life insurance; all publicity expenses, including advertising, lobby displays, fan mail, theatre tickets, flowers, etc.; subscriptions for trade papers and magazines; acrobats may charge off gymnasium expenses, if required, when laying off; all studio costs and office rental; salaries of secretary, substitute performers, supplies (including stationery, postage, sheet music, phonograph records and printed forms). The main items of traveling expenses while away from home are all deductible. They include railroad fares, hotel, meals, transfer, telegrams and telephone, tips, passport fees and Pullman fares.

20th Readies 'Coney Is.'

Hollywood, Feb. 4.

Sporting life in New York in the early 1900's is to be depicted at 20th-Fox in 'Coney Island,' a story by Ed Van Every, former sports writer and author of 'Sins of New York.'

William Perlberg is assigned as associate producer.

PATHE LABS ENLARGING PLANTS DUE TO U DEAL

Long expected move of Universal to switch its printing contract away from Consolidated Film Industries was consummated by the U directorate last week, when a two-year pact was granted Pathe Laboratories on a cost-plus basis. As a result of the new contract, Pathe will make extensive enlargements of its plant at Boundbrook, N. J., and on the Coast. Pact includes the newsreel, with Pathe Labs already subletting this to HER laboratories (N. Y.) for six months because not having convenient facilities close to Manhattan.

Universal announced last July that it had made a $1,500,000 loan, which was to be used in paying off maturing 6% mortgage of $1,000,000 due Consolidated and increase working capital. Then recently it was reported a deal with Pathe was nearing completion. Contract with Pathe is understood to be at the rate of .021c per foot and does not include raw stock. Cost-plus arrangement would push up price per foot, as it allows a sliding scale according to work done. Became effective on Feb. 1 last.

Pathe Laboratories shares, listed on the Over-the-Counter market, climbed seven points to $28 per share on announcement of the new contract. Had been down as low as $19 at one time.

Allied States

Continued from page 6

frequent intervals instead of on an annual basis casts an undue burden on the exhibitors and increases the opportunities of the distributors to play one exhibitor against another and to impose harsh terms. Unless the distributors are scrupulously fair in selling under the new system, the hardships will outweigh the benefits.

"3. Sec. IV, contains a forthright declaration that no exhibitor shall be required to license short subjects, reissues, westerns or foreigns as a condition to the right to license desired groups of features. This should be effective to eradicate a serious evil. We recognize, however, that so long as distributor representatives have several classes of products to sell the exhibitors at the same time there will be a temptation to condition the sale of desired product upon the acceptance of unwanted product. This can be overcome and the provision can be made effective if the distributors insist upon good faith observance by their sales forces and exhibitors are alert to make a record of all infractions which will stand the test of an arbitration proceeding.

II. The Right to Buy

"1. Sec. VI should be effective to prevent exclusive selling. The language is nicely balanced to insure a run to all worthy exhibitors without lending encouragement to shooting galleries and fly-by-nights. We feel that the clause protecting the distributor's total film revenue in the area should not be interpreted to cover threats of withdrawal of patronage made by exhibitors to perpetuate their local monopolies.

2. Sec. VIII, providing for the arbitration of complaints of unreasonable clearance, is in good form and should be effective, except for the provisions protecting clearance granted in certain franchises.

"3. Sec. X, relating to discrimination in the granting of a run, imposes so many conditions to the right to arbitrate thereunder, as to be of little practical value. However, for those who can qualify under its provisions, the section holds out the prospect of relief from the most serious abuse that has been practiced by the Big Eight.

"4. For a number of years Allied has contended that the only effective remedy for the abuses attempted to be dealt with in the foregoing paragraphs, was the separation of production and distribution from exhibition. Sec. XI, postponing the issue of theatre divorcement for three years, is the weakest and most disappointing feature of the Decree. It is doubtful whether under its provisions, the Government can control acquisitions to any extent during the test period. However, in view of the outstanding importance of this subject, acquisitions new developments by any of the consenting distributors which indicate a general policy of expansion, such as would violate the decree, should be promptly reported to National Allied.'

Schencks 'Make' FDR Ball

Continued from page 3

fied with pictures of the Third Term president and Mrs. Roosevelt they asked, and received permission to have them signed between courses. Through Jean Hersholt and Charlie Pettijohn of the Hays office they asked for the Roosevelt campaign hat, worn in his three strenuous election tours. He promised to contribute it for the Motion Picture Relief ball in Hollywood on March 17 (also date of his wedding anniversary), where it wil be auctioned.

Stars said they could get at least $10,000 for the precious top piece.

$15,000 Net This Year

The midnight shows at the Capitol and Earle, with all stars, sold capacity and 600 standing room. They will net about $7,500 for the Infantile Paralysis cause. The 'command performance' of 'Old Acquaintance' grossed $5,180, will net about $3,000. Last year Washington's net for all activities was $62,000. Early returns indicate the 1941 net will be close to $75,000.

A Singer Without a Piano

Lauritz Melchior, the Metropolitan opera tenor, really gave a Command Performance. He was at the White House luncheon when the President conveyed word that he would like to have him sing at the 'Cuff Links' dinner of his cronies, scheduled for 8 p.m. Melchoir, of course, said 'yes,' and then long-distanced his accompanist to fly down immediately from New York.

Then it was discovered there was no piano in the White House, other thag the huge east room instrument which could not be readily moved.

So Alan Corelli of Theatre Authority, Melchior's escort, borrowed an upright from the Hotel Willard and manager Somerville had it trucked up and moved into the red room.

The two coveted seats beside the President went to Maureen O'Hara and Lana Turner. Next were Kay Aldridge and Deanna Durbin.

Benny Goodman's Tough Schedule

It will never be decided whether Kay Kyser or Benny Goodman is the greatest Birthday Ball attraction. In 1940 Kyser drew 16,000 people to the Hotel Mayflower. Last Friday night the police stopped the sale of tickets and refused admission to several thousands, after the turnstiles registered 15,000. Maestro Goodman did not catch up with his White House luncheon invitation until the meal was over, was served by plane from the Dupont party at Wilmington in time to be escorted over to the Executive Mansion by the First Lady. Goodman also missed the President's broadcast, since he followed the Chief Executive's address on the air, and was broadcasting at the Mayflower. Because of these disappointments a special date later with the President was arranged for the 'King of Swing.'

Cinderella Gets a Sponsor

The 'Cinderella' stunt at the Birthday Ball was actually one of those things that puts a press agent in Paradise. When Anne Skeplovich, the 14-year-old West Virginia girl showed up at the White House late Wednesday night with her bogus invitation to be an overnight guest, she was sent to the Receiving Home for Girls. Co-chairman George Allen when he heard of the hoax immediately arranged for her to see the President. The Entertainment committee then arranged for her to attend the balls under official chaperonage. The Skeplovich cup of joy overflowed with a $200-and-expenses offer to appear on a national radio program. Besides, she got a new evening outfit and a suite at the Mayflower.

Deanna and Knudsen

Deanna Durbin's Hollywood escort arranged a special two-page Look mag spread at the Capitol for the Universal star. When the White House and Washington newspaper photographers tried to get in on these specially arranged shots, there was an explosion. Result of the row was a quiet word among the Capitol lens men to 'play down Durbin.'

Knub was forgotten at the Gold Plate breakfast when William Knudsen, No. 1 man in defense, asked to dance with Deanna, and permitted both still and newsreel men to catch the dance floor gliding.

Baltimore used every political and industry pressure to get Miss Durbin, whom they had, in an overzealous moment, announced would attend their Fifth Regiment Armory Ball. U. S. Senators Tydings and Radcliffe, Gov. O'Connor and Mayor Jackson pleaded for the Universal star. But Mrs. Durbin, who said the studio had Deanna insured for $800,000, refused to let her fly and was against 'unnecessary risk.' She considered a quick auto trip to Baltimore, even with police escorts, hazard. So Baltimore had to be content with George Raft, Wayne Morris and Maureen O'Hara, who made auto trips. There were 18,000 at the Baltimore gayety.

Tony and Lana

Tony Martin took a plane from Hollywood Wednesday night, arrived at the official dinner at 7:30, especially to see Lana Turner. But the schedules were such he never saw her for a confidential word, until they started for New York on Friday. Newspapermen suspected there were orders to keep the two stars apart and spent all evening trying to get the lowdown on this romance —without much success.

Slap-Happy Chauffeur

Preston Foster, who arrived early to ride at Fort Myer, never got on a horse. All the saddles at the reservation were military style, and he only felt safe on deep western, not available at the Fort. So Preston did the honors in white tie and tails, sat in the President's box. Foster got another shock when the police removed his official birthday ball chauffeur from the guest automobile. Too much giggle water. His schedule was delayed 20 minutes until they found a new pilot.

Wayne Morris Nixed

Wayne Morris, who introduced himself at all parties as the 'least important' guest got himself plenty of publicity by enlisting in the Naval Reserve. At least he tried, but was instructed to present himself at his home station in California.

Wanger's Powwows with FDR

Walter Wanger, United Artists producer, saw the President three times during his Washington visit, and had a long conference with the Chief Executive by request, on Friday, before leaving for New York.

Andy Kelley's Chore

After the President's Infantile Paralaysis broadcast, Steve Early, presidential secretary, called up Andy Kelley, entertainment chairman and director of publicity, and invited him to make the introductories for the 50 guests present in the oval room.

Goldwyn

Continued from page 5

pose all future measures of the company and would take steps to insure his getting his demands, UA charged. The other owners turned him down, and since that period he has harassed the management of the company, UA asserts.

The company, copying a page out of Goldwyn's complaint, states that the producer released false, malicious, and misleading statements to the press about it, and instead of UA having violated the contract, it was Goldwyn who did so by negotiating with Paramount and Warner Bros. UA admits writing to Paramount on Dec. 26, 1939, and warning that company not to deal with Goldwyn, and also points out that after numerous rejections of the profit-sharing 'Silverstone plan,' the producer hardly had the right after his consistent opposition, to expect to reap the benefits of the plan, conceived by Murray Silverstone, UA president.

The company also asserts it offered to Goldwyn $54,000, according to the plan's provisions, and points out the 'petty' demand for two months' interest was refused.

The company has been forced to expend large sums of money defending the suits Goldwyn has brought against it, it is claimed, and the answer is ended with a request for dismissal. Goldwyn seeks damages of $1,000,000 for alleged interference with the distribution of 'The Westerner,' and asks the court to approve breaking of his 10-year distribution agreement with UA, which has until August, 1945, to run.

You'll be adorin'
(Oh, Johnnie) Bonnie and Orrin
That's no bologna
Yours,
J. Colonna
"GEE, I WISH I'D LISTENED TO MY MOTHER"
STRAWBERRY LANE
"THE YOGI WHO LOST HIS WILL-POWER"
YOU'RE THE ONE
I COULD KISS YOU FOR THAT
Paramount presents
BONNIE BAKER ★ ORRIN TUCKER
AND HIS ORCHESTRA
"YOU'RE THE ONE"
with
Jerry Colonna · Edward Everett Horton · Albert Dekker
Lillian Cornell
Teddy Hart
It's more than just a song when Bonnie sings to Orrin "I Could Kiss You for That"!
Written and Produced by Gene Markey · A Paramount Picture · Directed by Ralph Murphy

Barbary Coast In Florida

Continued from page 1

though that's become an accepted Florida institution; plus the cream-of-the-crop from Broadway and Hollywood. As result, it's a case of never-a-dull-moment but, at the same time, the town may be heading for a severe setback.

There's no question but Miaml and Miami Beach are overbuilt. There are so many new hotels it's denting the established hostelries, spreading the trade thin, and also serving as a negative factor in encouraging trade. There are sundry cracks going the rounds currently that 'maybe Steve Hannagan oversold the burg,' because seemingly it's chasing the patronage elsewhere. Either the American public is laboring under the delusion that hotel reservations are at a premium, rates sky-high, prices prohibitive and the gyp is on, or they're staying home.

Spirit of Defeatism

It's reached the stage that the local big league dailies are campaigning against the spirit of defeatism. Things aren't as tough as publicized, they argue. For a spell, during the January month, the local wits were supposedly standing on corners waiting for sheriffs and attachments to troop in on this or that hostelry, nitery, eatery or casino.

Many persist in the belief that should the war end in a year or two, and the big international liners resume their winter cruises, it's bound to burst the Miami bubble. Local realtors, bankers, etc., aren't blind to this, but argue that whereas new hotels were wont to amortize their investments on a 25-30% annual basis, they're now resigned to the long pull idea of perhaps only 10-12%. That the banks will be left holding many a hotel is held inevitable, none the less, should cruise-boat tourism resume its former stature. (That water travel is considered a great hazard by many, even on coastwise U. S. liners, is gleaned from Havana's downbeat this winter when the dope was Cuba would clean up, on the theory it was the nearest thing to a 'foreign' flavor. Merchants and hoteliers in Havana are squawking that the little class trade that clippers over from Miami to Havana isn't enough to make up for the boat-loads that used to make the Cuban capital a perlodic stopover).

Early Rush Hurt

What threw Miami off form was the unprecedented late December rush over the holidays. That taxed capacities, caused many spots to open ahead of their usual post-Jan. 1 schedules, and gave end-December grosses an abnormal Crossley. Reaction came in January. Biz is off, but bookings for February indicate a reversion to a good normal average.

Meantime everyone seems to be in accord to let themselves go in a common desire to make 1941 a record season. Lesbos, strippers, raucous nudists and panzes are all over the place on the one extreme; and on the other the class casines are piling talent upon talent to lure patronage. It's no longer necessary to be discreet in the public prints when referring to which nitery has a gaming adjunct. The only schism arises when the 'wrong' mobs clash, and then the cops get busy as in the case of Slapsie Maxie's, which was not a home-town syndicate. It cost Maxie Rosenbloom's establishment its softest touch—the casino—which was doing bullishly on the strength of the floorshow's pull.

Strange Journalism

Coincident with this wide-open attitude is a peculiar sidelight in American journalism as it is practised hereabouts. The newspaper columnists, in the main, especially those on the chatter and amusement aspects, not only trade readers freely for advertising, but many of them are known to be on payrolls of niteries or hotels, or their press-agents. There are some newsmen who frankly work for private p.a.s as copywriters. In New York it would be analagous to the Sun's Ward Morehouse perhaps being on Richard Maney's payroll to grind out press copy; or Alton Cook being on the press payroll of Earle Ferris. In Miami it's considered an accepted practice; just as is the angle on pay-rolling this or that byliner for ' -tra' publicity considerations.

The Broadway, Chi, Hollywood and other metropolitan newspapermen who come back here regularly are at first nonplussed, but soon take the tropical manana attitude that, after all, it's none of their affair; they're here either for holiday or business, and if the latter it's a case of not meddling with what is seemingly a time-honored Miami press-relations institution.

From the more legit perspective, the operators naturally take the idea that a floating, pleasure-seeking population doesn't want its style cramped. They're in Florida to let themselves go. Whether it's gambling or gee-gees, sunshine or sin, rhumbas or rum, it's all there, in every form, shape or manner.

Marden's 4-Ply Brew

The class patronage can have no argument with the four-ply draw that Ben Marden gives 'em at his new Colonial Inn at Hallandale, 17 miles from here, with Sophie Tucker, Harry Richman, Joe E. Lewis and Paul Whiteman heading an elaborate revue; or the Art Childers entertainment at the Royal Palm where Milton Berle, Paul Hankon and Abe Lyman head a show which will be augmented this week by the addition of Martha Raye and next week by Tony Martin on top of everything.

Prices almost all over town are 'right'; i. e. they're content to get 'em into the establishment and then let nature takes its course via the gaming tables, which, these days, rival the best at the Riviera and north French coast spas of yesteryear. Wheels, dice, chuck-a-luck, chemin-de-fer, blackjack and practically everything else is around the corner all over town. The surprise is that many of the most modest niteries have from two to five tables operating regularly. They pop up in unexpected places.

Geographically Miami and Miami Beach are comparable to the Los Angeles-Beverly Hills layout—it's all over the map. Thus a series of neighborhood niterles have sprung up, all doing well, and all clicking with their local casinos. It's chain-store gambling, well laid out and showmanly primed.

As for the catch-penny trade, there's hardly a drugstore, hotel newsstand, stationery shop or kindred stand, stationery shop or kindred counters where there isn't an assortment of slot-machines, and counter-games (punchboard, the '26' dice game, mechanical craps, etc.)

The burg's as wide open as Joe E. Brown's mouth and the customer is as willing as a yokel in Hollywood.

Rivals for 'Tolls'

Continued from page 2

fabs with Russell Holman, company's eastern production rep, on the Hemingway story assignment. She's particularly anxious for it and has offered to make financial concessions to get it, it is understood. Her last film was 'Dramatic School' for Metro in 1938.

Miss Rainer also huddled with Dave Rose, Par's British production head, before he left for England several weeks ago. Arrangement, it is reported, is that after he ascertains the situation abroad he will attempt to cast her, but she will go across on her own, not Par's responsibility. She already has expressed her willingness to go to England for a Par film.

Top price of $150,000 payable by Paramount for screen rights to Ernest Hemingway's 'For Whom the Bell Tolls' under a sliding scale agreement has been assured. Print order has now been placed by the publishers, Scribner's, to pass the 500,000 copies mark, which is the top under the Par contract.

Par's arrangement was $100,000 cash plus 10c for each volume sold. 'Sold' has been construed to mean sold by the wholesaler to the retailer, as it was figured impossible to determine how many copies were actually purchased by readers through the thousands of booksellers, drug stores and other spots which handle books. Only the $2.75 edition is counted.

Print order, of course, does not mean that Par's top price has been reached under the contract terms, but is assumed to assure it. Scribner's and Par made it doubly likely by cooperatively launching with full-page ads in Sunday papers a tremendous promotional drive for the book. Publisher has set a 1,000,000-copy quota, although Par is not counting on more than 700,000 sales, which is tremendous in itself.

DeMille to Direct?

Hollywood, Feb. 4.

Ernest Hemingway's best seller, 'For Whom the Bell Tolls,' may be assigned to Cecil B. De Mille, whose writers are working on the screen play. Frank Capra is another contender.

Gary Cooper has the top role and Betty Field is also taking tests for the femme lead.

PAR'S ROYAL, DETROIT, FINALLY OPERATING

Keeping the new Royal, Detroit, closed since Christmas rather than accede to early demands of the local stagehands' union, Paramount opened the theatre Friday (31) following an agreement worked out in New York under which maintenance is provided for all houses rather than just this one. Union had insisted that Par install a maintenance man before opening, circuit refusing to open instead. House is a nabe in the United Detroit string.

Complications at the same time included demands of the janitors' union for recognition and a contract. This has been consistently refused, with result most of the Detroit theatres are still being picketed.

Par Takes Bowers' Short

Paramount has closed a deal to release a short produced by William Bowers, an oldtimer in the film industry. Short is the first to combine real photography and animation, plus comedy narration that goes along with characterizations of animals, actually cameraed, which are given voice.

It is called 'Down on the Farm' and possibly a series will stem from it.

Academy Entries

Continued from page 4

lice,' Paramount; 'Down Argentine Way,' 20th-Fox; Northwest Passage,' Metro; 'The Thief of Bagdad,' Alexander Korda and United Artists.

Director of photography from all studios will make the final selections.

From Tin Pan Alley

Nine songs used in pictures, 17 original music scores and nine scores 'without regard to the source of the music' have been entered in the competition.

Ditties are: 'It's a Blue World,' from 'Music in My Heart,' Columbia; 'When You Wish Upon a Star,' from 'Pinocchlo,' Walt Disney; 'Our Love Affair,' from 'Strike Up the Band,' Metro; 'Only Forever,' from 'Rhythm On the Range,' Paramount; 'Would You Like to Be the Love of My Life?' from 'Second Chorus,' Paramount; 'Who Am I?' from 'Hit Parade of 1941,' Republic; 'I'd Know You Anywhere,' from 'You'll Find Out,' RKO; 'Argentina,' from 'Down Argentine Way,' 20th-Fox; 'Waltzing in the Clouds,' from 'Spring Parade,' Universal.

Original scores are: 'Arizona,' Columbia; 'Pinocchio,' Walt Disney; 'Thief of Bagdad,' Alexander Korda-United Artists; 'The Crown,' Sol Lesser-United Artists; 'The Howards of Virginia,' Frank Lloyd-Columbia; 'Waterloo Bridge,' Metro; 'The Great Dictator,' Chaplin-United Artists; 'North West Mounted Police,' Paramount; 'Dark Command,' Republic; 'My Favorite Wife,' RKO; '1,000,000 B. C.,' Roach-United Artists; 'Rebecca,' Selznick-United Artists; 'The Mark of Zorro,' 20th-Fox; 'The Fight for Life,' Columbia; 'The House of Seven Gables,' Universal; 'The Long Voyage Home,' Wanger-United Artists; 'The Letter,' Warners.

Scores, regardless of the source of the music, are: 'Arise My Love,' Paramount; 'Strike Up the Band,' Metro; 'Second Chorus,' National Pictures-Paramount; 'Our Town,' Lesser-United Artists; 'Hit Parade of 1941,' Republic; 'Irene,' RKO; 'Tin Pan Alley,' 20th-Fox; 'Spring Parade,' Universal; 'The Sea Hawk,' Warners.

Editors Make Their Bid

Nominated for achievement in film editing are: 'Grapes of Wrath,' 20th-Fox; 'The Letter,' Warnefs; 'Long Voyage Home,' Wanger-United Artists; 'North West Mounted Police,' Paramount; 'Rebecca,' Selznick-United Artists.

Special Academy awards will be given for the best still photographs in each of the following seven classification:

For the best posed portrait, male or female, made with artificial light; for the best action portrait, male or female; for the best posed production still photograph made with an 8 by 10 camera; for the best action still photograph made with a 4 by 5 camera; for the most unique still photographic idea; for the best fashion still photograph. All exhibition prints must be from negatives made during the filming of motion pictures between March 1, 1940, and March 1, 1941, and must have been the complete laboratory service of a motion picture studio still department.

Film Tax Legislation

Continued from page 5

islator threatens to put up a chain store bill. A straight sales tax measure also has been introduced. This has been up before and defeated.

These States Need Revenue

Because the Arizona governor has recommended raising the old age pension from $30 to $40 per month, additional revenue must be obtained in that state. A 2% privilege tax on all lines of business is up. Also another measure repealing the present sales tax.

Arkansas has a concurrent resolution lifting old age pensions from $20 to $30, which means additional revnue-raising measures. California has a measure requiring the licensing and regulation of agents for film players. Legislature there is about to recess.

Colorado would place a 2% sales tax on theatre admissions, while another solon in this state thinks the law should be repealed. Another bill would lift the 2% levy on food and milk but keep it on other goods, including admissions. Another measure would exempt admissions up to 15c. State also has an anti-ASCAP proposal.

Old age pensions would be increased $10 per month in Indiana, which also is reported seeking a little Wagner labor act. Both are viewed as expensive propositions for the film business. In Iowa a new state building code is sought with proper exits to projection booths specified.

The proposal, which was defeated two years ago, whereby films would be classified for children under 16 years of age, has been re-introduced in Maryland. This state also would censor all motion pictures shown by jukebox machines.

A bill liberalizing the blue laws is being groomed for introduction into the Massachusetts state legislature. Another would liberalize regulations on beano and bingo games. A third would prohibit so-called games of chance, while still another seeks to tax receipts obtained when such contests are employed. There also are proposals coming up which would bar dog racing and parimutuels. Another measure would force every show to close with the playing of the 'Star-Spangled Banner.'

Michigan thus far only has come out with an anti-ASCAP measure. Montana is proposing a 2% sales tax which would include admissions.

Pro and Con on Daylight Time

New Hampshire has a proposition calling for the abolishment of Daylight Savings time, while Wisconsin wants to repeal the statute prohibiting Daylight Savings so that the state could install Daylight time. Exhibitors naturally are against repealing the statute because they've never wanted Daylight time. New Hampshire also would shift Sunday openings so that theatres could open the doors at 3 p.m. instead of 6 p.m. Legislators in this state also would legalize dog racing and license slot machines.

State supreme court in New Mexico has held bank nights to be illegal and a new bill would legalize them. Governor of Oklahoma has recommended a 5% admission tax.

A measure is up in the Pennsylvania state legislature which would license theatres running so-called games of chance. This would tax exhibits in towns of 3,000 or less $600 per year; those between 3,000 and 10,000 population, $1,200, and larger than 10,000 at $1,600 a year. Under the proposal, 15% of the prize money would go to the state.

South Dakota would reduce its 3% sales tax to 2%, governor of the state having advocated this move. However, so far the reduction has not been made applicable to amusements. The governor of Wyoming has advocated the repeal of the 2% sales tax.

Besides the Divorcement Bill up in Congress, theatre divorcement proposals also have been introduced in Nebraska and Minnesota. Censorship proposal in Arizona is rated as a costly affair if it is interpreted as meaning that every 1,000 feet film would be assessed $6. Bill now reads that no more than $6 per 1,000 feet will be charged. Industry naturally will contest such a severe assessment.

Kansas state censorship board has announced that it will charge only 50c per 1,000 feet for features and comedy subjects, retaining the old rate of 25c for educational, cartoon and scenic subjects. New rate became effective Feb. 1 and was made because the board had a surplus on hand. It will continue until the surplus has been dissolved.

Nebraska Raps

Lincoln, Neb., Feb. 4.

Two raps hit the film industry in legislation here, both of them authored by Sen. E. M. Neubauer, of Orleans, Neb., an industry-baiter from previous sessions.

Legislative Bill No. 115, first offered, seeks to place a tax of one cent on each 10c worth of amusement tickets, or fraction of same, the returns to be paid the state treasurer, who will credit the come to relief funds.

Second bill into the hopper requires distributors of motion pictures to secure a permit from the railway commission to carry on their business, pay an annual fee of $1,000 for the privilege of doing business, plus $1 for each reel distributed in Nebraska.

Neubauer's first bill is new to the solons, but the second is ancient history. An exact duplicate of it was pigeonholed in committee hearing in the session two years ago.

Not in yet, but rumored on the way, is a bill which will slap the American Society of Composers, Authors and Publishers—in a slightly different way than the 1937 anti-ASCAP law passage which is now going through U. S. Supreme court. This new act, being framed, is after a piece of the ASCAP—collected money for Nebraska licenses via taxing that income.

New Texas Tax Proposal

Austin, Texas, Feb. 4.

A proposal to raise additional taxes on places of amusement was presented to the state legislature in his first message to the body by Governor W. Lee O'Daniel here last week.

In his proposal, Gov. O'Daniel plans to make every amusement place which charges admissions to file with the state comptroller of public accounts a quarterly report on the 25th days of Jan., April, July and Oct., for the quarter ending on the last day of the preceding month; the report shall show the gross amount received for admissions and a 1½% tax shall be paid on the gross receipts. This tax is to be in addition to and not in lieu of any other taxes now levied by state or national law.

Carmen Amaya

Continued from page 1

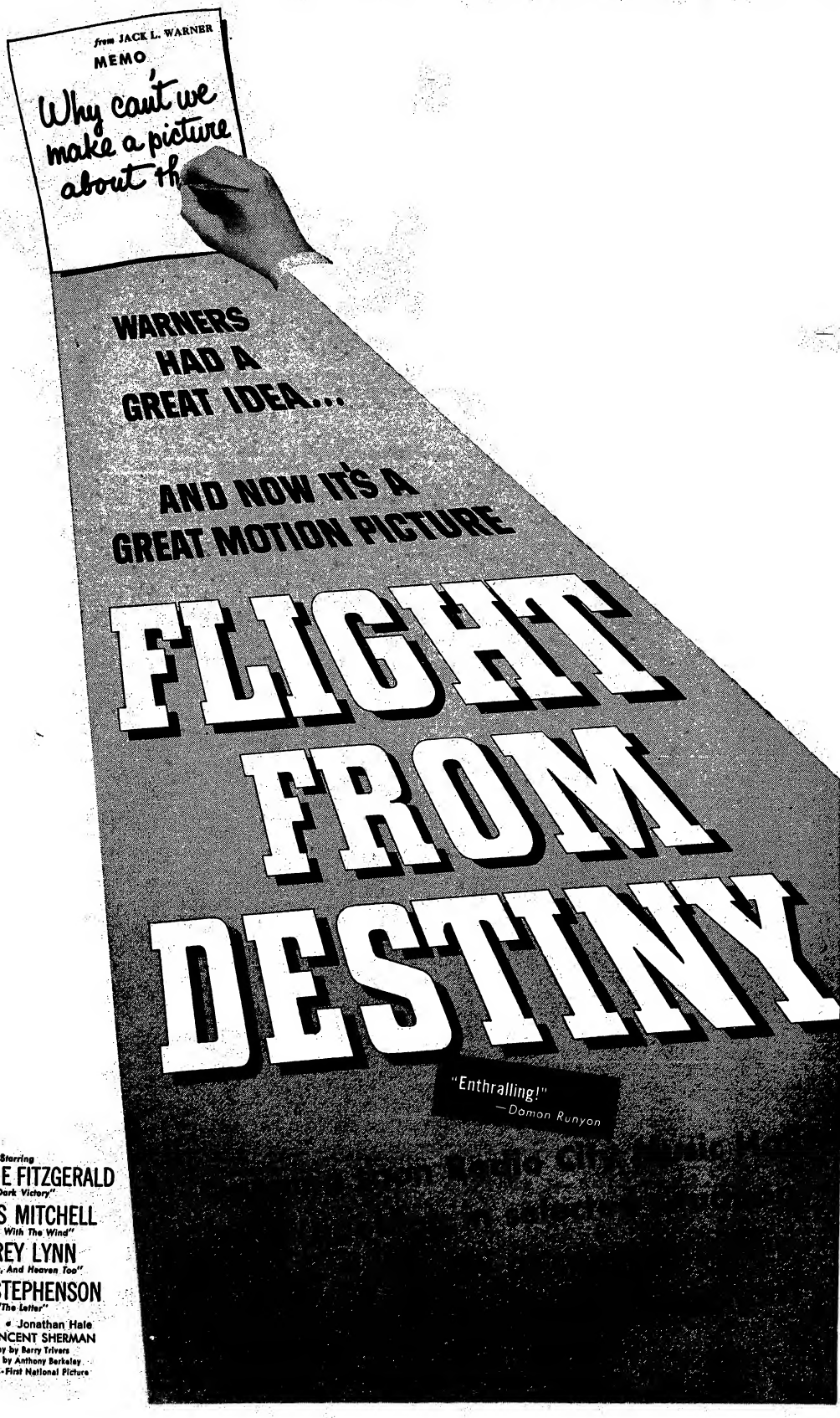
her third, the gross was still mounting.

She has still the current week (fourth) to run on her contract with the spot, and Proser is currently negotiating for an extension of the deal. William Morris office, which is agenting the dancer for Sol Hurok, who brought her up from South America, is said to be asking $3,000 a week, with Proser offering, as a compromise, a full split over the Beachcomber's operating nut.

Hurok originally brought the Amaya gal and her troupe of 16 (mostly non-performing relatives) to the U. S. for the Shuberts-Olsen and Johnson 'Crazy House' revue, which last week was temporarily called off. Prior to that, however, the Shuberts decided that Senorita Amaya would be a conflict with Carmen Miranda, set for the show, and asked Hurok to peddle the dancer elsewhere and relieve them of a commitment calling for $2,500 weekly. The Beachcomber date resulted, and the spot has been drawing an entirely new South American and Spanish clientele, devotees of the type of dancing seldom seen north of the Rio Grande or west of Madrid.

An idea of Senorita Amaya's importance in S. A. can be gleaned from the fact that Carmen Miranda worked under the dancer's supervision in shows there.

The success of the dancer's booking at the Beachcomber, according to Proser, bears out his contention that the nitery business is not racket but a legitimate part of show business, where showmanship pays dividends and lack of it calls for the sheriff. To further bear this out, Proser points to his classier east side Copacabana, where a $40,000 refurbishing of a long-time white elephant (it was once the Villa (Rudy) Vallee), plus neat shows in the South American manner, look like they will mean net profit of at least $100,000 in the first year of operation.


from JACK L. WARNER
MEMO
Why can't we make a picture about th
WARNERS HAD A GREAT IDEA...
AND NOW IT'S A GREAT MOTION PICTURE
FLIGHT FROM DESTINY
"Enthralling!" —Damon Runyon
Starring
GERALDINE FITZGERALD
of "Dark Victory"
THOMAS MITCHELL
of "Gone With The Wind"
JEFFREY LYNN
of "All This, And Heaven Too"
JAMES STEPHENSON
of "The Letter"
Mona Maris • Jonathan Hale
Directed by VINCENT SHERMAN
Screen Play by Barry Trivers
From a Story by Anthony Berkeley
A Warner Bros.-First National Picture

Theatres—Exchanges

Continued from page 8

new 1,000-seater in Decatur, Ill., to cost between $125,000 and $150,000.

The Preston, a new 500-seater built by May and Kenneth Preston in Salem, Mo., to start operation soon. J. F. Goshen, owner of the Uptown, Sedalia, Mo., has let a contract for a new house to be erected in Waynesville, Mo. A new house, one of the largest in the Ozark mountain region, will be built at Rolla, Mo., because of the establishment of a huge army training camp. F. L. Loew, of the Star Theatre Co., is erecting a new 500-seater in Lebanon, Mo.

Cohns' Nephew in Army

Albany, Feb. 4.

Morris Cohn, salesman for Columbia the past six years, became the first man in the local film colony to enter the army under the draft law. Cohn a nephew of Jack and Harry Cohn, was sent to Fort Dix, New Jersey.

Dayton House Underway

Dayton, Feb. 4.

Ground has been broken for a new neighborhood house, the Davue, a 900-seater in the Dayton View residential district, permit calling for construction cost of $80,000.

The Morrie White interests, Cincinnati, will build and operate. Col. Ike Libsom also is interested. Expect to open June 1.

Lloyd Rejoins Goldberg

San Francisco, Feb. 4.

Roland Lloyd has joined Aaron Goldberg's circuit as chief booker.

Gary Girdler, nephew of the steel Girdlers, has quit his job as doorman at Newsreel theatre to go into biz for himself. Opens a flower shop.

Offices of Golden State Theatres, San Francisco Theatres, Inc., and T&D Jr. Enterprises, representing about 85 theatres, moved entire second floor of the Western States Life Bldg.

Fred Curtice, former assistant at the Uptown, has been upped to assistant to Ray Coper, S. F. division chief for Golden State and San Francisco Theatres, handling 19 houses.

Ty Winkel has sold his Piedmont, Oakland, to Gerald Hardy, who operates the Hardy and Fulton in Fresno. Winkel retains the Star, subsequent run.

Jess Levin's Avenue theatre, gutted by fire several months back, reopened this week after overhaul.

Latta Handling Pitt Tent's Banquet

Pittsburgh, Feb. 4.

C. J. Latta, assistant zone manager for WB here and recently retired chief barker of the Variety Club, will serve as general chairman for the 1941 banquet of Tent No. 1 this fall. He succeeds John H. Harris, who has personally looked after every one of the 13 shindigs in the past, but who is stepping aside this year on account of other business demands.

Gordon Kinsey has been upped from chief of service to the assistant managership of the Fulton theatre, succeeding Raymond Trubey, just transferred to the Shea house in Ashtabula, O. Wallace Held, formerly of Fulton staff, is new assistant to Mannie Greenwald, manager of indie Barry.

Emma Jarabin, assistant booker at WB exchange, retired at end of last week to go domestic. She's been succeeded by Nellie Reinstein, who moves up from a clerk's berth. Fred Myers, former Par salesman here and until recently a New York state field man for same company, is going to California to make his future home.

Briefies: Mike Marks, of Oil City's Latonia theatre, who has been ailing for several weeks, is on the mend... Norman Frescott now the road for Johnny Harris, doing special advance work for 'Icecapades'...Dorothy Goldstein, of Par office, back from Florida vacation...Al Corbett, local artist and formerly with Republic here, has presented his old boss, Jim Alexander, with a big oil painting of Gene Autry and his horse, Champ...Sabu around for a few days with the UA gang drumming up interest in 'Thief of Bagdad.'

Long's Arizona Expansion

Los Angeles, Feb. 4.

Louis Long, operator of chain of filmeries in Arizona, took over three theatres in that state from Bill Cox. Houses are the Paramount and Chief, in Casa Grande, and the Cotton Bowl in Westville.

J. S. Slate turned over the operation of the Wisteria in Sierra Madre, Cal., to Harry Gerlinger, but retained ownership of the building.

Ben Mohi opened his new Picfair theatre in L. A. on a subsequent run basis.

Keough in Buffalo

Buffalo, Feb. 4.

Austin Keough, Paramount legal head and v.p., in town for one day last week for instructions to local sales force as to procedure under the consent decree.

Olympic theatre, North Collins, previously operated by Burton W. Pratt, has been taken over by H. Knopf, formerly general manager of Sol Raives circuit.

Matthew Konczakowski is reopening his Marlowe, which has been closed since early fall undergoing remodeling and renovation.

John Magner, who recently underwent a serious eye operation, has returned to his job as assistant manager at Shea's Hipp.

A new corporation, Dipson Theatres, Inc., has been formed to take over the former D. & B. Operating Co.; also a new Dipson Realty Co. will replace the former Dipson-Basil Theatres, Inc. These changes are announced by Nikitas Dipson as necessitated by the severance of the former Dipson-Basil holdings in western New York. Dipson also plans opening a new 400-seat nabe early in July located in Amherst, just beyond the Buffalo city line.

The Del Rio, Falconer, reopened. Amos Leonard is now in charge of Syracuse territory for Monogram. Jacob Lavene, owner of the Academy and former Chief Barker of Buffalo Variety Club, is again in the General Hospital due to continuance of illness which has had him inactive for over a year.

Jerry Lippold, who resigned as member of Buffalo Universal office staff, now associated with William Fried in operation of Long Island theatres. He is succeeded here by William Maier. The Allendale, operated for many years by the Michaels Estate, purchased and now operated by Irving Cohen, of Hornell.

Nicholas Basil, of Basil Circuit, announces the opening Feb. 1 of the new Basil Apollo on the site of the old Liberty. House seats 850. Harris Lumberg, manager of Shea's (Par) Bellevue, Niagara Falls, for the past five years, is being succeeded by Walter Leffler, formerly with the Shea publicity department and recently assistant manager of the Bellevue.

Colonial, formerly the Huxford, Skaneateles, has reopened under the management of Reuben Cantor.

Admish Scales

Continued from page 5

several films during the past year, else the average would have been still lower. Also many theatres cut prices the last six months of 1940, due to increased taxation, some dropping to the exempted 20c figure. From 1924 until 1926 there was the silent picture business until 27c was the average price in 1926. Two years later it had advanced to 29c.

Talkers' Advent a Hypo

Just when a decline in the film theatre price level would have been natural, talking pictures entered the scene. The result was that in 1929-30, the average climbed further to 31c. Fact that many 20c. theatres were able to boost their admittance fee to 50c. for a while is responsible for this material upbeat. By 1931, admission scales had dipped back nearer normal, with the average declining to 28c. The average dipped further in 1932 to 26c.

Where there might have been a substantial drop in admission prices in 1930 because retail prices were going down fast that year and for two years following, the newness and novelty of talking pictures helped cushion the decline. Result was that even in 1935, the average price had only gone to 25c. This figure also had prevailed most of 1934 and 1933.

Shortly after that the period of unbridled competition began, with bargain matinees,' family nights' games and giveaways. This era of fierce competitive bidding for patronage continued and became even more widespread from 1936 to 1940, with the 23c. average price, reached early in 1936, continuing for four years.

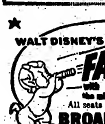
Besides the open bids for boosting attendance by means of bargain shows and family dates, the popularity of games and giveaways was reflected in admission scales even of theatres which failed to go for these freak stunts. Thus the exhibitor, who preferred to attract patrons solely on the merit of his screen attractions and failed to install games as did his competitor retailiated by cutting his admittance fee.

Price-Cutting vs. Games

Inability of exhibitors to agree on a uniform scale voluntarily has further split the admission scale average wide open even under improved economic conditions of recent years. Courts have ruled against distributors or exhibitors fixing any admission price agreement and the voluntary method has not worked out, even when attempted. Nevertheless, a vast period of national prosperity now in prospect in the next 18 months may conceivably produce a rise above the 23c. average level despite this wide-open competition.

National average price was figured by theatre according to daily receipts and attendance and not according to the fluctuating scale because rated as the most fair method. Thus a big de luxe house might be tabbed as a 75c. theatre although charging 40c. early in the day, later 75c. and finally 99c. or higher at the peak night hour. Early bird matinees and the 10c. scale for children at many theatres are responsible for dragging down the whole price structure to such a low average. Only fair picture of how the price level is fluctuating is obtained by comparison of total revenue collected with the number of paying patrons.

New York Theatres



WALT DISNEY'S FANTASIA —with STOKOWSKI conducting the miracle music of RCA Fantasound. All seats res.—Ch'd'n ½ price all times. BROADWAY 53 St. & B'way Circle 6-5285

NOW AT POPULAR PRICES!! Capitol Broadway 51st Street. FULL LENGTH — Continuous Showings! 'GONE WITH THE WIND' A Metro-Goldwyn-Mayer Release

RKO PALACE B'way & 47th St. Week Beginning February 6th 'TALL, DARK and HANDSOME' Cesar ROMERO • Virginia GILMORE —and— FOUR MOTHERS Priscilla-Rosemary-Lola LANE Gale Page, Jeffrey Lynn, Eddie Albert

LOEW'S State TIMES SQ. Last Times Wed. "COMRADE X" In Person James Barton Dixie Dunbar Low Parker Kitty Carlisle. Starts Thur., Feb. 6 ROBERT TAYLOR "FLIGHT COMMAND" In Person Johnny McGee Eunice Healy Joan Merrill Diamond Bros.

PARAMOUNT HELD OVER "VIRGINIA" In Technicolor with Madeleine CARROLL A Paramount Pic. In Person GLENN MILLER and His Band CASS DALEY Midnite Screen Shows

BEG. FRIDAY, JAN. 7 "HONEYMOON FOR THREE" STARRING Ann SHERIDAN • Geo. BRENT A New Warner Bros. Hit DIRECTED BY LLOYD BACON IN PERSON RAY NOBLE and His Orch. Extra! Have You Met YVETTE? STRAND B'way & 47th St.

HELD OVER GINGER ROGERS in "KITTY FOYLE" An RKO Picture UNITED ARTISTS RIVOLI Broadway at 49th St. Doors Open 9:30 A.M. MIDNITE SHOWS

RADIO CITY MUSIC HALL "ARIZONA" Spectacular Stage Productions

FILM BOOKING CHART

(For information of theatre and film exchange bookers VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of reviews as given in VARIETY and the running time of prints are included.)

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Key to Type Abbreviations: M—Melodrama; C—Comedy; CD—Comedy Drama; W—Western; D—Drama; RD—Romantic Drama; MU—Musical. Figures herewith indicates date of VARIETY'S review and running time.

WEEK OF RELEASE—12/13/40			
Pride of the Bowery (Mono) 1/29	D	60	L. Gorcey-B. Jordan
Comrade X (M-G) 12/11	M	87	C. Gable-H. Lamarr
Texas Rangers Ride Again (Par) 11/6	WD	67	J. Howard-E. Drew
Mysterious Dr. Satan (Rep) 11/20	M		E. Ciannelli-R. Wilcox
Murder Over New York (20th) 12/4	M	65	S. Toler-M. Weaver
Trail of the Vigilantes (U) 12/11	W	75	F. Tone-B. Crawford
WEEK OF RELEASE—12/20/40			
Phantom Submarine (Col)	M		A. Louise-B. Brand
Her First Romance (Mono)	D	77	E. Fellows-W. Evans
No, No, Nanette (RKO) 12/25	MU	96	A. Neagle-R. Carlson
Behind the News (Rep) 12/25	D	74	L. Nolan-D. Davenport
Lone Star Raider (Rep) 12/18	W	57	B. Livingston-B. Steele
Jennie (20th)	CD	78	V. Miller-D. Bowdon
Give Us Wings (U) 11/13	M	60	W. Ford-V. Jory
Here Comes Navy (WB) (reissue) 7/24/34	D	88	J. Cagney-P. O'Brien
WEEK OF RELEASE—12/27/40			
Arizona (Col) 11/20	WD	125	J. Arthur-W. Holden
The Wildcat of Tucson (Col)	W		B. Elliott-E. Young
Keeping Company (M-G) 1/4	C	79	A. Rutherford-J. Shelton
Rolling Home to Texas (Mono)	W	63	T. Ritter
Love Thy Neighbor (Par) 12/25	C	81	J. Benny-M. Martin
North West Mounted Police (Par) 10/23	D	125	G. Cooper-M. Carroll
Kitty Foyle (RKO) 12/18	D	88	G. ogers-D. Morgan
Bowery Boy (Rep) 1/4	D	71	D. O'Keefe-L. Campbell
Chad Hanna (20th) 12/18	D	88	H. Fonda-L. Darnell
The Invisible Woman (U) 1/4	M	70	J. Barrymore-J. Howard
Thief of Bagdad (UA) 10/16	D	105	C. Veidt-J. Duprez
Santa Fe Trail (WB) 12/18	W	110	E. Flynn-O. de Havilland
North West Mounted Police (Par) 10/23	M	125	G. Cooper-M. Carroll
WEEK OF RELEASE—1/3/41			
This Thing Called Love (Col) 12/25	C	92	R. Russell-M. Douglas
Flight Command (M-G) 12/18	W	113	R. Taylor-R. Hussey
Trail of the Silver Spurs (Mono) 1/22	W	58	R. Corrigan-M. Terhune
Second Chorus (Par) 12/4	MU	84	F. Astaire-P. Goddard
Convoy (RKO) 6/26	M	95	C. Brook-J. Campbell
Hudson's Bay (20th) 12/25	D	94	P. Muni-G. Tierney
Lucky Devils (U)	M		R. Arlen-A. Devine
Where Did You Get That Girl? (U)	C	64	H. Parrish-E. Quillan
Son of Monte Cristo (UA) 12/4	D	102	L. Hayward-J. Bennett
Four Mothers (WB) 1/15	D	87	Lane Sisters-C. Rains
WEEK OF RELEASE—1/10/41			
Pinto Kid (Col) 2/5	W	66	C. Starrett-L. Currie
Maisie Was a Lady (M-G) 1/15	C	76	A. Sothern-L. Ayres
Doomed Caravan (Par) 1/8	W	60	W. Boyd-R. Hayden
Wyoming Wildcat (Rep)	W		D. Barry-J. Duncan
Little Men (RKO) 12/4	D	84	K. Francis-J. Oakie
M. Shayne, Private Detective (20th) 12/25	D	77	L. Nolan-M. Weaver
San Francisco Docks (U) 1/4	D	65	B. Meredith-I. Hervey
Boss of Bullion City (U)	W		J. Brown-F. Knight
Case of the Black Parrot (WB) 1/15	M	60	W. Lundigan-M. Wrixon
WEEK OF RELEASE—1/17/41			
The Face Behind the Mask (Col)	D		P. Lorre-E. Keyes
Philadelphia Story (M-G) 11/27	D	111	K. Hepburn-C. Grant
You're Out of Luck (Mono)	D	62	F. Darro
Victory (Par) 12/18	D	77	F. March-B. Field
Let's Make Music (RKO) 12/12	MU	82	B. Crosby-E. Risdon
Robinhood of the Pecos (Rep) 1/15	W	59	R. Rogers-M. Reynolds
Romance of the Rio Grande (20th) 1/4	W	73	C. Romero-P. Morison
Six Lessons from Madame LaZonga (U)	C		L. Velez-H. Parrish
Honeymoon for Three (WB)	C	79	G. Brent-J. Wyman
WEEK OF RELEASE—1/24/41			
Land of Liberty (M-G) 1/15	D	98	All-Star Cast
The Wild Man of Borneo (M-G)	CD		F. Morgan-B. Burke
Life With Henry (Par) 1/22	C	80	J. Cooper-L. Ernst
The Saint in Palm Springs (RKO) 1/8	D	65	G. Sanders-W. Barrie
Road Show (UA)	C		C. Landis-A. Menjou
Tall, Dark and Handsome (20th) 1/22	M	77	C. Romero-M. Berle
Ridin' on a Rainbow (Rep) 1/29	W	79	G. Autry-S. Burnett
High Sierra (WB) 1/22	D	100	H. Bogart-I. Lupino
WEEK OF RELEASE—1/31/41			
Come Live with Me (M-G) 1/22	C	86	J. Stewart-H. Lamarr
Kid's Last Ride (Mono)	W		R. Corrigan-J. King
Mr. and Mrs. Smith (RKO) 1/22	C	90	C. Lombard-R. Montgomery
Arkansas Judge (Rep)	C	72	Weaver Bros. & Elviry
Petticoat Politics (Rep)	C		R. Karns-R. Donnelly
Girl in the News (20th) 1/4	D	77	M. Lockwood-E. Williams
Buck Privates (U) 2/5	C	82	Andrews Sis-Abbott-Costello
Father's Son (WB)	D		J. Litel-F. Inescort
WEEK OF RELEASE—2/7/41			
The Devil Commands (Col)	M		B. Karloff-A. Duff
Blonde Inspiration (M-G)	D		J. Shelton-V. Grey
Ridin' the Cherokee Trail (Mono)	W		T. Ritter-B. Miles
You're the One (Par) 2/5	C	79	O. Tucker-B. Baker
Along the Rio Grande (RKO) 1/29	W	66	T. Holt-B. Rhodes
Ride, Kelly, Ride (20th)	C		E. Pallette-R. Quigley
Back Street (U)	D		C. Boyer-M. Sullavan
Flight From Destiny (WB) 1/4	D	73	T. Mitchell-J. Lynn
WEEK OF RELEASE—2/14/41			
Across the Sierras (Col)	W		B. Elliott-L. Walters
Trial of Mary Dugan (M-G)	D		R. Young-L. Day
The Mad Doctor (Par)	D		J. Howard-E. Drew
Play Girl (RKO) 12/18	RD	76	K. Francis-J. Ellison
Bad Man from Rio (Rep)	W		D. Barry-V. Carroll
Golden Hoofs (20th)	D		J. Withers-C. Rogers
Prairie Pioneers (Rep)	W		B. Steele-B. Livingston
Meet the Chump (U)	C		H. Herbert-A. Nagel
Kisses for Breakfast (WB)	C		D. Morgan-S. Ross
WEEK OF RELEASE—2/21/41			
Adam Had Four Sons (Col)	D		W. Baxter-I. Bergman
Meet Boston Blackie (Col)	D		C. Morris-R. Hudson
Andy Hardy's Private Secretary (M-G)	C		M. Rooney-L. Stone
Virginia (Par) 1/15	RD	107	M. Carroll-F. MacMurray
Scattergood Baines (RKO)	C		G. Kibbee-E. Dunn
Western Union (20th) 2/5	D	93	R. Young-R. Scott
Nice Girl (U)	C		D. Durbin-F. Tone
Strawberry Blonde (WB)	CD		O. DeHavilland-J. Cagney
WEEK OF RELEASE—2/28/41			
Blondie Goes Latin (Col)	C		P. Singleton-A. Lake
Outlaws of the Panhandle (Col)	W		C. Starrett-F. Robinson
Free and Easy (M-G)	C		R. Cummings-R. Hussey
In Old Colorado (Par)	W		W. Boyd-R. Hayden
Citizen Kane (RKO)	D		O. Welles-J. Cotten
Scotland Yard (20th)	D		N. Kelly-H. Wilcoxon
Dark Streets of Cairo (U) 12/4	M	59	S. Gurie-R. Byrd
WEEK OF RELEASE—3/7/41			
Rage in Heaven (M-G)	D		R. Montgomery-I. Bergman
The Hard-Boiled Canary (Par)	D		A. Jones-S. Foster
A Girl, a Guy and a Gob (RKO)	C		G. Murphy-L. Ball
Tobacco Road (20th)	D		G. Tierney-C. Grapewin
Mr. Dynamite (U)	D		L. Nolan-I. Hervey

New Duals Test

Continued from page 7

recently polled its patrons at the American in the Bronx, N. Y., as to whether they preferred the top picture at 9 or 9:30. Patrons at this house favored this policy by a small majority and it is in effect there. They also wanted duals retained—a question on which they were also polled—and bank night was also favored.

Loew's will start its No. 1 feature at 9 p.m. or thereabouts in 30 houses tomorrow (Thurs.) in New York, Brooklyn, Long Island, New Jersey and Westchester and may extend the same policy to theatres in out-of-town situations. With the American, where the initial experiment has been underway, the total thus will be 31 under that plan.

Houses starting the policy tomorrow are largely in the so-called secondary neighborhood class. They include the Inwood, Dyckman, Olympia, 72th St., Commodore, Ave. B. and Canal in N. Y.; the Burnside, Elsemere, Victory, Boston Road, Post Road and Burland in the Bronx; Gates, Bedford, Melba, Century, Warwick, Brevoort, Bay Ridge, Boro Park, Oriental and Premier in Brooklyn; Prospect, Hillside, Willard and Woodside in various parts of Queens county; Loew's, New Rochelle, and Loew's, Yonkers, in Westchester; and North Bergen, N. J.

Aside from catering to the fans who want the more convenient hours for the top films on duals, a Loew's executive points to another angle of importance. This is that under the policy, double feature devotees will be more likely to come into theatres in the middle of the No. 2 feature and see the main film from end to end, rather than vice versa. Calling it more proper programming of shows on this theory alone, it is contended that the plan is also in the direction of satisfying both double and single-feature patrons.

RKO also is testing the idea in an important fashion. This chain first experimented with the policy at the 86th Street, N. Y. Subsequently it was installed in the three RKO houses in the Rockaways on Long Island, and at the newly-acquired Marble Hill in the Bronx. Two weeks ago the circuit extended it to the 81st Street and 58th Street, N. Y., as well as the Tilyou, Coney Island.

In all instances, according to John J. O'Connor, general manager of the RKO chain, the results have been so satisfactory that the same plan will be placed into effect in additional houses. Starting tomorrow (Thurs.), Proctor's, New Rochelle, will put on the principal feature at 9 p.m., while beginning Feb. 12, Keith's, Flushing, L. I.; the Castle Hill, Bronx; Coliseum, N. Y., and Pelham, Bronx, will adopt the same policy.

Where already in force, RKO is running trailers on the policy and also using valences on the marquee advertising the main attraction at 9 p.m.

Film Grosses

Continued from page 11

LOS ANGELES

Say No' (WB) (2d wk). Headed for okay $7,000 on holdover, after first week finished with $10,100.

Four Star (UA-F-WC) (900; 30-44-55)—'Cheers Bishop' (UA) (3d wk). Fair $3,000 on current stanza, after second week just topped first week for close to $5,000.

Hitching Post (Tele) (387; 25-28) (All-Western) — 'Stage to China' (RKO) and 'Lone Star Raiders' (Rep). Buddy Adler lined up Horace Boos (of cafeteria family) and Grey Carter and innovated Hollywood's first all-Western showhouse. Venture is purely an experiment, and sponsors will be satisfied with small returns until proposition gets started. Pictures are released at the regular 25c break, although being first-run in Hollywood, and house is geared to do around $1,300 to $1,400 weekly, at capacity.

Hollywood (WB) (2,756; 30-44-55) —'Sierra' (WB) and 'Couldn't Say No' (WB) dual (2d wk). Another $6,000 in prospect after initial stanza returned satisfactory $9,000. 'Behind the News' (Rep) debuts tomorrow (6).

Orpheum (B'way) (2,200; 30-44-55-75)—'Bowery Boy' (Rep) and Earl Carroll's 'Vanities' on stage. Show, headed by Bert Wheeler, has injected new life into the Orpheum and it looks like terrific $20,000. With attraction splitting 50-50 from first dollar, house does not stand to make any great profit, but thousands are being attracted and that should help. Last week, second runs.

Pantages (Pan) (2,812; 30-44-55)—'Thing Called Love' (Col) and 'Remedy Riches' (RKO). Headed for strong $10,000, and holds over with a new second feature. Last week, 'Vigilantes' (U) and 'Invisible Woman' (U), very good $9,000.

Paramount (Par) (3,595; 30-44-55-75)—'Victory' (Par) (2d wk) and 'You're the One' (Par), plus stage show. Dual bill drawing few extra thousand, and stage show headed by Dinah Shore and Cliff Nazarre heading house for fair $13,000. Last week, 'Victory' (Par) and stage show, almost same figure.

RKO (RKO) (2,872; 30-44-55)—'Thing Called Love' (Col) and 'Remedy Riches' (RKO). Should do good $9,700, and holds with new second feature. Last week, 'Vigilantes' (U) and 'Invisible Woman' (U), topped $8,700.

State (Loew-F-WC) (2,414; 30-44-55-75)—'Live With Me' (M-G) and 'Liberty' (M-G), lukewarm $10,000. Last week, 'Flight Command' (M-G) and 'Shayne Detective' (20th), $13,000.

United Artists (UA-F-WC) (2,100; 30-44-55)—'Flight Command' (M-G) and 'Shayne Detective' (20th). On moveover only fair $3,200. Last week, 'Hudson's Bay' (20th) and 'Gallant Sons' (M-G), not healthy at $2,900.

Wilshire (F-WC) (2,296; 30-44-55) —'Flight Command' (M-G) and 'Shayne Detective' (20th). Fair $5,000 on moveover. Last week, 'Hudson's Bay' (20th) and 'Galant Sons' (M-G), n.s.h. at $4,500.

Assign Hecht's 60G'er

Hollywood, Feb. 4.

Ben Hecht's untitled story, reportedly sold for $60,000 to RKO, draws David Hempstead as producer.

Hempstead has another feature to produce before the Hecht yarn, which goes into production in June.

J. L. & S. LIKELY HOLDING ON TO ORIENTAL, CHI

Chicago, Feb. 4.

Uneasiness which has been surrounding the rental rights in the Oriental theatre for the past few months appear to have been straightened out, and indications are that Jones, Linick & Schaefer will continue to operate the house.

Balaban & Katz were reported interested in going back into the house, but understood that the Department of Justice officials in Washington frowned upon such a move, since it would put B&K in possession of every first-run house in the loop with the single exception of the RKO Palace.

Aaron Jones, Sr., has been sitting in at special confab with the landlords and has apparently smoothed out the situation to the satisfaction of all parties.

Bob Weitman O.O.ing Par Theatre Operations

In line with his extra-curricular duties for the theatre department of Paramount, Bob Weitman, management director of the Par, N. Y., left for Philadelphia Monday (3) to check over company's four theatres there that are pooled with Warner Bros.

Weitman was in Newark Saturday (1) to confer with the Adams brothers, operator-partners of Paramount in theatres there and in Paterson.

Inside Stuff—Pictures

Purchase by 20th-Fox of 'Confirm or Deny,' yarn by Henry Wales and Samuel Fuller, sets a new high price for writers of screen originals by Hollywood scriveners who lack a national drawing power. Studio is said to have laid $20,000 on the line for work of this pair of comparatively unknown writers. Name scriveners have in the past topped the $20,000 mark for their wares, but average top price for the in-between scribe has been approximately $5,000. There are few instances on record of studios paying $10,000 or even $15,000 for a yarn written by a Hollywood writer with few important screen credits, but these have been exceptional cases.

Producers Laboratories' suit against Universal Pictures, Big-U-Film Exchange and the Roxy theatre, N. Y., was settled and discontinued yesterday (Tues.) out of the N. Y. supreme court. Action was begun Sept. 30, 1940.

Suit sought an injunction, accounting of profits and damages, claiming that Universal's 'Hired Wife' was an infringement of the title of a picture belonging to Producers entitled 'A Hired Wife.'

Rosemary Lane's objection to the script is understood to be the reason for the sudden shelving of 'Hang Out the Moon' at RKO. Actress agreed to the deal while on an eastern stage tour, but did not sign a contract and was able to pass up the assignment after reading the story. Dennis O'Keefe, slated for the top male role, will be given a spot in a future picture.

Request for binoculars and other glasses used by spotters atop London buildings in watching for approaching Nazi bombers, made by Metro's Great Britain office, has brought a large contribution of German-made instruments.

They will be shipped to Sam Eckman, Metro's No. 1 man on the British Isles, to be distributed as needed in London.

For second time within the last six months, RKO directors considered the matter of declaring a dividend on the new 6% preferred stock last week but again decided to defer action for the time being.

Dividends accummulated and unpaid on this stock amounted to $6 per share on Jan. 31 last, making the shares a full year in arrears on divvy distribution.

A GREAT INDUSTRY

Proves Its Right to Greatness!

Democracy can and will fight for itself. That is proved by the tremendous response to the appeal of the Greek War Relief Committee from the radio station owners and managers of the NBC and MUTUAL Networks.

Just as half a hundred topmost headliners of the entertainment world volunteered their talents in this most worthy cause, so have scores of radio stations contributed their facilities, and cleared their time for this mammoth benefit broadcast.

If you have not already made arrangements to carry this broadcast, get in touch with the Committee at once.

The program will originate Saturday, February 8th, in Hollywood's famous Chinese Theatre, at 11:15 P.M. (EST) and will continue for 90 minutes.

This is your chance to get behind Democracy with all the power in your transmitter. Elderly men, widowed women and orphaned children in the war-devastated regions need YOUR help. The Committee urgently requests YOUR cooperation. See your local Greek War Relief Committee for details of how YOU can help!

SPYROS SKOURAS
President, Greek War Relief Comm.
730 Fifth Avenue, New York City.

SAMUEL GOLDWYN
Chairman, Permanent Charities Comm.
Motion Picture Industry.

HERE ARE THE STARS WHO WILL HEADLINE THE PROGRAM

JACK BENNY and BOB HOPE, Co-Masters of Ceremonies . . . THE "HARDY FAMILY," including MICKEY ROONEY, LEWIS STONE, CECILLIA PARKER, ANN RUTHERFORD, FAY HOLDEN and SARA HADEN . . . FANNY BRICE and HANLEY STAFFORD . . . GEORGE BURNS and GRACIE ALLEN . . . MADELEINE CARROLL . . . RONALD COLMAN . . . BOB CROSBY . . . BETTE DAVIS . . . ALICE FAYE . . . CLARK GABLE . . . CHARLES LAUGHTON . . . CAROLE LOMBARD . . . MYRNA LOY . . . MARY MARTIN . . . TONY MARTIN . . . GROUCHO MARX . . . FRANK MORGAN . . . PAUL MUNI . . . MERLE OBERON . . . "ROCHESTER" JAMES STEWART . . . SHIRLEY TEMPLE . . . SPENCER TRACY . . . ROBERT YOUNG . . . and many others who are volunteering daily!

HELP THE GREEK WAR RELIEF AND YOU HELP DEMOCRACY

SOME FEARED POSSIBILITIES OF MUSIC WAR

¶ THAT WASHINGTON BRAINTRUSTERS WILL MAKE NO DISTINCTION BETWEEN 'CREATIVE' (I. E. CAPITALISTIC) TALENT AND ORDINARY LABOR.

* * *

¶ THAT AN ASSOCIATION OF PROPERTY OWNERS (ASCAP) MAY BE FORCED TO DISSOLVE AND REMNANTS OF THE DEFEATED ORGANIZATION WILL RE-EMERGE AS A LABOR UNION.

* * *

¶ THAT WITH $4,000,000 INVESTED BY BROADCASTERS IN BMI AND ITS CONTRACTURAL MUSIC PUBLISHING ALLIES THERE ARE SERIOUS AND MORE OR LESS PERMANENT NEW PROBLEMS, EVEN AFTER ANY POSSIBLE 'PEACE' BETWEEN ASCAP AND RADIO.

HOLLOWAY PREDICTS 'END OF ASCAPITALISM'

San Francisco, Feb. 4.

Harrison Holloway of KFI-KECA told the Frisco ad club Wednesday (29) that—

'BMI means the end of ASCAPitalism.'

He also cracked:

'Joe Broadcasting is the father of a baby named Television.' Nobody has ever been able to find the mother and we don't know what to do with the infant. Maybe Joe made a mistake and maybe he didn't.

'Radio's three great romances were with (a) newspapers (b) films and (c) 'Jeannie With the Light Brown Hair.'

Going serious, Holloway did a Hitler prophesy that broadcasting will experience 'more changes' during 1941 than in its entire history, pointing out that the year promises freedom from ASCAP, introduction of FM, new high in listening hours, extension of networks to South America and resultant opening of vast new markets.

Gus Arnheim Off WCCO

Minneapolis, Feb. 4.

Gus Arnheim, playing at the Hotel Nicollet Minnesota Terrace, refused to sign a release to WCCO relative to ASCAP and assume responsibility for copyright infringement. As a result, his orchestra is not being aired over that station which hitherto always has broadcast from the Terrace.

However, Arnheim aggregation airs over WMIN, the only Twin City station with an ASCAP franchise.

Denver Meeting Sanguine

Denver, Feb. 4.

Some 40 managers and others representing 27 radio stations from six Rocky Mountain states, attending the 14th district meeting of the National Assn. of Broadcasters, unanimously endorsed Broadcast Music, Inc., and expressed the opinion that the broadcasters had already won the music war with ASCAP.

Meeting lasted one day and was presided over by Gene O'Fallon, district director; C. E. Arney, assistant to Neville Miller, and Carl Haverlin, BMI director of stations relations, were also present.

Indians OK for Sound

Minneapolis, Feb. 4.

WCCO sought clearance from Columbia for the war chants and tomtom beats of the Blackfeet Indians who participated in the WCCO network show dramatizing the St. Paul Winter Carnival opening.

The clearance came through okeh, investigation showing the war chants and tomtom beats are not ASCAP copyrights.

No BMI—No Crosley

Cincinnati, Feb. 4.

For refusing to agree to play BMI arrangements, the local band in Old Vienna headed by Herman Kirschner is not being aired by Crosley's WLW and WSAI.

Booking was for a week's fill-in.

ROBBINS SUES CBS

Infringement On WEEI, Boston, Is Alleged

Robbins Music Corp. has filed suit in the N. Y. federal court against Columbia Broadcasting System, Inc., seeking an injunction, accounting of profits and statutory damages for WEEI's alleged unauthorized use of a song. Tune involved is 'Don't Be That Way,' written in 1938 by Edgar Sampson and Mitchell Parish. Song was broadcast over WEEI in Boston on Jan. 14, 1941, plaintiff claims.

Suit is first against a major chain to be filed in the battle between the American Society of Composers, Authors, and Publishers and is also the first to be filed in N. Y.

Bing Crosby's Slant

Hollywood, Feb. 4.

Despite pleas of his ASCAP friends, Bing Crosby is said to be ready to sing BMI tunes on his Kraft program.

'I can't keep on singing those old ones,' said the crooner, who skips his Feb. 13 broadcast to loaf at Sun Valley.

ASCAP A Property Owners Assn., 'Misrepresented' As Labor Union

Each side in the present music war has its pet peeves against the arguments used by the other side. Songwriters dislike most of all having ASCAP represented as a 'labor union' and thereby damned with many sponsors and advertising agencies. 'We are and we want to remain individual capitalists,' say thoughtful songwriters, 'we don't want to be forced by radio or the Government to accept the status of workers or to have our compositions reduced to the basis of so many yards of notes to be measured like something coming off an assembly line.'

Another and corollary view is expressed in about this language: 'There are implications in this whole music fight a lot more lasting and important to creative people everywhere than whether the networks are able to knock out ASCAP or change it so drastically its old friend won't recognize it.'

ASCAP, its members insist, is an association of property-owners. The status equality between the supposed 'boss,' or publisher, and the 'worker,' composer, within ASCAP answers the argument, according to this view, that the present fight is an attempt by 'another labor union' to raise costs in radio.

Business men, the songwriters now believe, are temperamentally unappreciative of the creative artist's demand for property rights as distinct from wages. If the business men, with help from Washington, succeed in making it impossible for songwriters to function as private capitalists than the labor union approach is described as a reluctant alternative. Songwriters are asserting that the sponsors and agencies who think they are helping defeat a 'labor union' are more likely helping to create one.

Loss of Seniority and Old Age Aspects of ASCAP Foreseen

Some composer and writer members of ASCAP have been giving much thought to the philosophy which they see represented in the consent decree that Broadcast Music, Inc., has signatured with the U. S. Department of Justice and they have come to the conclusion that if this philosophy is enforced by the courts the creative writer in America is on the way to regimentation. Thurman Arnold, the assistant U. S. attorney general, is seeking, these writers are convinced, to put into practice a theory that a creative work, from the economic point of view, is no different from a ton of steel, a quart of oil or a pound of butter. So long as they come within the province of public commerce musical compositions would according to these writers' understanding of the Arnold theory, have the same yardstick of Government control applied to them.

If Arnold, these writers hold, succeeds in imposing his philosophy upon the operations of ASCAP that organization will be deprived of all but one of its purposes, that of policing organization. ASCAP will then have ceased to function as a benevolent or mutual insurance group. Writers will no longer join the organization with a long range point of view, that is, be willing to accept a minor portion of the Society's income during the early years of their membership so that in later years when their productive powers dwindle or run dry they can go on collecting premiums.

If the seniority or availability phases of the Society's basis for royalty allocation are eliminated by consent decree or any other instrument than the Society can serve only as a straight commercial agency. ASCAP's income will be apportioned strictly according to the current uses made of each member's works. If this philosophy is carried out to its logical, if not equitable solution, the writer of 'Boogie Woogie' would be put on the same compensation plane as the composers of 'St. Louis Blues,' 'A Kiss In the Dark,' 'Sylvia,' 'Rhapsody in Blue,' 'Ol' Man River,' 'My Heart Stood Still' and 'I Love You Truly.'

As the Society's methods of allocation are now set up quality of composition is given important if not top consideration. A member's services to the Society's administration over a long period of years is also recognized through the 'seniority' phase of the royalty distribution. These factors would be tossed overboard if the Arnold philosophy finally prevails.

Radio's $4,000,000 Investment In Music Biz Creates Gloom

What will likely prove a big hurdle to any settlement of the ASCAP-radio battle is the fact that the broadcasting industry now has $4,000,000 more or less already invested in the music business. ASCAP publishers are of the opinion that regardless of whatever deal they eventually make with radio they will have this investment, as represented by Broadcast Music, Inc., plaguing them until such times as the broadcasters elected to write the whole thing off as a loss.

These publishers feel confident that they would have nothing to fear from the output of BMI when it came to servicing commercial programs on the networks but that the crimp will prevail in the case of sustaining programs. The networks and their affiliated stations are expected to try to salvage what they can out of their heavy investment in BMI by using BMI compositions wherever possible.

Sidney M. Kaye, BMI v.p., estimates that $1,500,000 has already been poured into BMI and that the forward obligations of the venture amounts to another $1,500,000. From a BMI director it is learned that the BMI total so far totals nearer $2,000,000 and that the obligations figure another $2,000,000. Where the major part of this latter load exists are the contractural guarantees made for the performing rights to established publishing houses.

E. B. Marks is guaranteed personally $225,000 a year for five years, with Julian T. Abeles, the lawyer who swung the deal, collecting for himself an additional $25,000 a year directly from BMI for his services. M. M. Cole, the Chicago publisher, is down for $30,000 a year, Ralph Peer's Latin-American setup, $31,000 a year on a certified three-year deal, United Publishers, $9,000 a year and the Colonial Music Publishing Co., $5,000 a year.

BMI had, it is estimated, an overturn of around $75,000 in sheet music and orchestrations during January. In the case of the Marks orchestrations it profits nothing, since Marks' agreements provides that BMI buy his stock arrangements at the jobber price and BMI has been selling these arrangements to the subscriber stations at cost. When a couple of hits are 'riding' a big ASCAP firm has been known to do $75,000 a month easily, so that BMI in the position of practically holding a monopoly of the current sheet music business at the present time is found to be enjoying a turnover which is even less per month than when a single ASCAP firm, such as Shapiro, Bernstein & Co. did during the co-run of 'Beer Barrel Polka' and 'My Prayer' (1939). S-B's monthly sheet music billings during this period ranged as high as $100,000 a month.

'Happy Birthday to You' Comes Out 'Yankee D'dle'

Milwaukee, Feb. 4.

People who since Feb. 1 have received melodic birthday felicitations via Western Union have had the surprise and the shock of their lives. Uniformed messengers have stood at the door and sung 'Happy Birthday to You' or warbling operator has rendered the words over the telephone, but the lyrics to the old greeting are no longer accompanied by the familiar tune. Instead, they are sung to the patriotic tune of 'Yankee Doodle' or the juvenile melody of 'Mary Had a Little Lamb,' both of which are in the public domain.

ASCAP holds copyright restrictions on 'Happy Birthday to You' and Western Union isn't looking for trouble. But it's tough on the singers; if you don't believe it, just try singing the 'Birthday' words to 'Yankee Doodle' or 'Mary Had a Little Lamb.'

FILM 'CONSENT' SIMILARITY TO BMI

Having to deal with the U. S. Department of Justice in the matter of consent decree is no new experience to Schwartz & Frohlich, ASCAP's general counsel. As general counsel for Columbia Pictures, S&F refused to become a party to the consent decree which now binds a major part of the film industry. Permanency of the latter decree depends on the Government succeeding in getting the courts to compel Columbia Pictures, Universal Pictures and United Artists to accept the same decree. These three companies have elected to stand trial on the original film anti-trust issues and take their case, if necessary, to the U. S. supreme court.

The BMI decree likewise does not become effective unless ASCAP comes within the province of its terms.

Horton Heath, Jr., who joined Broadway stage play 'George Washington Slept Here' last week is son of RCA publicity director.

Pitman Off Radio After 16 Years, Owner's Son In

Portland, Me., Feb. 4.

Linwood T. Pitman, for 15 years general manager of WSCH here, last week resigned to return to his pre-1925 post on the copy desk of the Portland Press-Herald. His place is slated to be filled April 1 by William Rines, son of the station's owner. Young Rines has been in New York since his 1940 graduation from Harvard, studying radio at N.Y.U. and NBC headquarters.

Daily hiring Pitman owns WGAN, WCSH's rival in local field.

MODUS OPERANDI OF 'ASCAP PARADE'

Starting with the second 'ASCAP On Parade' broadcast of the 13-time series the audience at the WMCA studio (N. Y.) visible broadcast is asked to desist from overindulgent applause because that breaks into announcements and causes time schedules to run overboard. Show is fed alive to four New York outlets (indie) and four eastern seaboard keys, also licensed to use ASCAP music. Some 117 other indie stations use the recorded versions on a swap basis. For the live period ASCAP insisted on paying for the time, although it got a 50% rebate because of the wealth of talent entailed.

Billy Rose has his shows lined up three weeks in advance. He produces and Oscar Hammerstein II scripts 'em.

ASCAP's direct solicitation of its cause, taking its fight with radio directly to the public, has resulted in considerable fan mail which is being carefully cataloged for presentation to Washington authorities.

Fred Borton, WQAM, On Auditing Music

Miami, Feb. 4.

Fred Borton, owner-operator of WQAM, local CBS affiliate, and one of the few single-man station operators in the business, is typical of the hinterland broadcaster who is unsympathetic with the ASCAP cause. He brushes off the Society's demands by observing that 'you can drive the American people just so far and they will revolt,' meaning that ASCAP's demands, when finally becoming prohibitive, resulted in the current revolution.

Borton goes into details that the Society is fallacious in its arguments that anything but a blanket music contract is impractical. He states that's not so. 'As it is,' Borton details, 'since the schism we now carefully log every tune performed so that we may account to BMI, and also of course so that we may know where we stand as and when future copyright litigation arises. What matters it to us, therefore, if we recorded the ASCAP songs similarly? It's a matter of simple ledgering and would mean but a few minutes' extra work.

'Thus, we could very easily remit to ASCAP every week or every month for so many performances of its tunes, as we logged them here at WQAM. That goes for the other stations. We do it anyway.'

'World Broadcasting, when we get one of its disks, states that 25c or 75c or $1.25 royalty must be remitted for same. We notate that and remit. Why cannot ASCAP do the same on its song copyrights? Fix a fee and we'll pay gladly. But why pay for music we do not use? We don't need it on serials, newscasts and the like. But where we use it, we'll pay any equitable fee, promptly and gladly.'

Engineers' Columbus Meet

Columbus, Feb. 4.

Fourth Annual Broadcast Engineering Conference, sponsored by the Department of Electrical Engineering of Ohio University, in cooperation with the National Assn of Broadcasters, is scheduled to get underway Monday morning (10), to continue for two weeks. Advance registrations indicate that 250 engineers will be in attendance.

Emphasis will be on television, high fidelity and national defense.

Heading the list of speakers are E. K. Jett, chief FCC engineer; Major Edwin H. Armstrong, Columbia University; Dr. Peter Goldmark, CBS, and Harvey Fletcher of Bell Telephone.

Frank Browne's Sideline

Minneapolis, Feb. 4.

Frank Browne of Browne and La Velle, comedy team on WCCO Sunrisers 6 to 7 a.m. Mondays through Saturdays, this week went into the real estate business. This keeps him busy rest of the day.

Organizer of the Log Cabin Realty Co., at Excelsior, Minn., where he has his own cottage.

'NO SUICIDE DECREE'--ASCAP

Trade Watches C.A.B. for Omens Of Music Affect on Ratings; Revues Skid Off, Luckies by 3.7

Latest (second January) report issued by the Co-operative Analysis of Broadcasting has caused much speculation, if not deep concern, among ad agency men. For the first time in at least five years the overall rating for network commercials in January showed no increase over that of December. In a statement issued by the National Association of Broadcasting, and obviously prompted by the current music war, it was remarked that 'national popularity of network programs neither increased nor decreased during the month of January.'

The statement also remarks that the 'average number of listeners to 172 network programs during the period ending Jan. 28 is identical with the number of listeners to the same programs during the monthly period ending Dec. 23.' In support of this observation the N.A.B. statement offers the following arithmetical data: '82 programs made gains, 86 programs had losses and four remained the same. Of evening programs, 53 went up in listening audience, while only 49 went down.' 'Musical programs, according to this same statement, 'fell off a negligible amount—four-tenths of a point.'

The statement avers that 'daytime program averaged 6.1% in January, compared with 6.2% in December,' but that 'this slight fractional difference was outweighed by the larger volume involved in the evening programs, which rated 13.8 in January and the same figure for the preceding month.'

Levelled Off

The tabulation included in the statement gives the average audience for the daytime programs for the December period as 6.2% and the night-time as 13.8%, whereas the average rating for daytime in January was 6.1% and the night-time, 13.7%. And in arriving at the average audience to all programs (day and night) this tabulation makes it equally 10.7% for December and January.

According to a graph, prepared by the C.A.B., in the VARIETY Radio Directory for 1939-40 (pages 120-121) January has since 1936 been consistently an upbeat month for network program listening. Only exception noted in this graph was the downward trend of hour shows in January, 1937, but in this particular period the evening 30-minute and quarter-hour and daytime serials all went up.

Perhaps an interesting parallel with this January, 1937, drop is the fact that the January, 1941, reports put out by the C.A.B. show a downtrend for the majority of the hour shows. None of the shows, excepting Major Bowes, in this group (which use plenty of music of the popular type) escaped this slipoff.

Following is how the pop musical shows, either dominated by a singing star, or out-and-out orchestral fared as to rating in this last C.A.B. report:

Kate Smith....down.
Bing Crosby....down.
Kay Kyser....down.
Fitch Bandwagon....down.
Rudy Vallee....down.
'Hit Parade'....down.
'Voice of Firestone'....down.
Guy Lombardo....up.
'Album of Familiar Music'....up.
'Merry-Go-Round....up.
'Beat the Band'....down.
Wayne King....down.
'Waltz Time'....up.
Sat. Nite Serenade....down.
Ray Block....down.
Ben Bernie....down.
Horace Heidt....
'Hour of Charm'....up.
Cities Service....down.
Fred Waring....down.
Coca-Cola....up.

Of pertinent interest also perhaps is the circumstance that Lucky Strike's 'Hit Parade' has taken a 3.7 drop since its last December rating, while it's been 6.1 off for Kay Kyser within the like period.

No Improvisation

West Palm Beach, Feb. 4.

Steve Willis, of WJNO, tells this one.

Before 'Yankee II,' a trained whistling canary, was put on the air with its owner, Lillian Hayes, the station took the precaution of having the bird go through its entire repertoire to make sure that none of its memorized tunes would bring an infringement suit from ASCAP.

ASCAP AND BMI BASICALLY UNALIKE

In commenting on the consent decree accepted by Broadcast Music, Inc., from the U. S. Department of Justice, music industry lawyers pointed out last week that the terms of the covenant can apply to ASCAP only in the narrowest degree. That is the section dealing strictly with the dealing in performing rights. The two organizations—BMI and ASCAP—are in the details of their operations as far apart as the poles.

ASCAP functions strictly as a collecting and policing agency. The amounts paid members, after the costs of administration are deducted, are determined by the by-laws of this non-profit organization. The allocation facilities as marked out by these by-laws are administered by two classification groups, one consisting of the writer members on the board of directors and the other of the publisher members on this same board. In the case of the publishers the availability portion of the distribution (30%) is further delegated to a committee elected by the publisher membership. No ASCAP member is guaranteed a specified or minimum income.

BMI functions as:

1. *A publishing organization.*
2. *A performing rights licensor.*
3. *A transcription and other mechanical rights licensor.*
4. *A jobber of performing rights and mechanical rights, with the leasing contracts made with other publishing organizations guaranteeing the latter minimum annual incomes from these rights.*

Unlike ASCAP, BMI designates the exact fee (1c. per station) to be received from radio uses by writers with whom it has direct contracts. Also unlike ASCAP, BMI is a privately owned corporation, accountable to no one but its stockholders, NBC, Columbia and individual stations.

COMPARES BMI TO A. P. FOR 'RAW MATERIAL'

San Francisco, Feb. 4.

Broadcast Music's value to the radio industry parallels the importance of press associations to newspapers, according to a statement by Phil Lasky, general manager of KROW.

'Just as the Associated Press, an industry-owned source of raw material, brought to the newspapers a stabilizing factor for controlling the cost of its news, BMI, too, will be the radio industry's check-rein on the future costs of music—our raw material,' Lasky told the Oakland Civitan Club.

Atlanta.—Newest addition to WSB staff is Ange Dellairo, accordionist.

7 OF BOARD MAY MEET ARNOLD

ASCAP Willing to Make Any Internal Changes Department of Justice Wants But Fears BMI's Inside Track and Death Sentence for ASCAP in Wisconsin Document

VITAL TALKS

ASCAP-radio war may be settled within the next few weeks or it will drag on for many months as the U. S. Department of Justice and ASCAP thrash out the anti-trust issue in the courts. Such is the two-way outlook described yesterday (Tuesday) by ASCAP leaders as they prepared for the proposed meeting with Thurman Arnold, assistant U. S. attorney-general, in his Washington office tomorrow (Thursday). Seven members of ASCAP's board of directors will be on hand for this conference, and upon the trend of the discussions with the Federal prosecutor will depend the matter of an early peace or the Society's launching of a bitter, to-the-end battle.

John G. Paine, ASCAP general manager, was waiting at press time late yesterday (Tuesday) to hear from its counsel in Washington whether Arnold had nixed the Thursday date. Things in this direction started to look complicated when a report went over press association wires yesterday afternoon that Justice Dept. officials were 'burning' over the ASCAP's board 'failure to keep an appointment Tuesday' and had announced that they were 'immediately starting a criminal action' against ASCAP.

Paine explained that there had been a tentative appointment made for yesterday (Tuesday) but that an extension had meanwhile been asked to tomorrow (Thursday). Originally it had been intended to have the entire ASCAP board meet with Arnold, but at a board meeting, which started early Monday evening (3) and lasted until 4 a.m., Tuesday (4), it was decided to limit this delegation to four writers and three publishers. This contingent was to consist of Deems Taylor, Irving Berlin, Oscar Hammerstein II, Otto Harbach, Gustave Schirmer, Saul H. Bornstein and John O'Connor.

Rumor had also meanwhile spread around the music industry that ASCAP's counsel in Washington, Herman Finkelstein, of Schwartz & Frohlich, might himself arrive at terms satisfactory to ASCAP and make it unnecessary for the ASCAP delegation to go to Washington. At ASCAP's offices in N. Y., however, this report was termed as 'far too optimistic.'

ASCAP Admits Setbacks

ASCAP leaders admit that the Society has taken a licking in the preliminary skirmishes, but they are still confident that the fundamental principle in the contract the Society offered the networks, namely, payment at the source, will prevail when the final clash is over. These ASCAP leaders see a fall-off in network listening, and feel that were this trend to continue for another four weeks radio may desire a settlement if the situation had not been meanwhile hopelessly muddled by the BMI consent decree.' ASCAP leaders now feel that 'the worst' has already happened and that publishers would ordinarily sit back and wait while public and sponsor reaction takes its course. But the complication is that the Department of Justice is an added opponent in the BMI corner.

ASCAP counsel spent much of last week in parleys with Arnold and his associates going over the terms of a mutually satisfactory consent decree. Arnold insisted that ASCAP accept the same decree which BMI had signatured a couple of weeks ago, and when there was no budging him the meeting with ASCAP's full directorate was suggested, and he readily assented. Arnold is agreeable to giving the board all the time it wants to explain its side of the controversy, meanwhile holding up the filing of a criminal information against ASCAP in Milwaukee.

The ASCAP board is agreed on making two concessions toward a consent decree. It will make any internal changes that the department wishes and it will agree to a per program or per piece basis for royalty compensation, providing this latter arrangement is buttressed by clauses which will protect ASCAP from gradually undermining of its financial and organizational existence by BMI. The board, it is understood, will not bow to a consent decree which will give BMI the upper hand when it comes to getting the hog's share of sustaining performances on the networks. It takes the position that the value of ASCAP's current catalog to commercial programs would be negligible under such competitive restraints because it is through the sustaining programs that new tunes are exploited to the point where they become the choice of commercial program producers. The latter rarely introduce a song that has not gone through this exploitation process.

'Wrong Kind of Decree'

The ASCAP board, composed of writers and publishers, will seek to outline to Arnold the part that ASCAP's material plays in broadcasting, how the Society's functions extend beyond the realm of mere licensing and fee collection and what undue restraints could accomplish in curbing the creative output of established composers and authors. The Society's directors are determined that they will not 'sign the wrong kind of decree'; that they will not agree to anything that threatens the existence of ASCAP, and that if Arnold goes through with his threatened litigation they will reconcile themselves to a lengthy fight and embark upon drastic changes in the material exploitation operations of the industry so as to replace the channel of radio on a permanent basis.

BMI Spreads Out to Absorb An Established Performance Society; Has Radio Rights to S.J.C.P.S.

Sound Non-ASCAP 'A'

In rehearsal last week for the NBC sustainer, 'Behind the Mike,' the house orchestra was instructed that as a part of the program the script called for the orchestra to tune up while on the air.

'Be sure nobody tunes up ASCAP,' quipped conductor Ernie Watson.

BMI CONSENT JUST WHAT BMI LIKES?

Even the broadcasters admit that the BMI 'consent' decree sounds like it was written by radio attorneys, being full of jokers. It gives the broadcasters the option of pay-per-use-of music, per-program, or percentage-of-the-gross. Idea is that these terms must also apply to ASCAP, as and when it signs a consent.

Thus, also imposed on BMI, seemingly by self-interest, is a condition that music not used on dramatic, news and similar dialog programs need not be paid for. Since BMI hasn't been 'guilty' of that—this being a charge placed solely at ASCAP's door—it's curious that the BMI consent decree makes provision for something it never put it into practice.'

Broadcast Music, Inc., has also acquired the broadcasting licensing rights of the catalog controlled by the Society of Jewish Composers, Publishers and Songwriters. Alphabetical list of the performing right group's titles, composers and authors is being compiled by BMI for distribution among its members this week.

Sydney M. Kaye, BMI v.p. and general counsel, has decided to contest in the courts ASCAP's claim that the melodies of three BMI tunes, 'I Hear a Rhapsody,' 'I Look at You' and 'All I Desire,' are infringements of numbers in the ASCAP catalog.

He advised BMI subscribers this week to go on using the songs and that suits brought by ASCAP writers and publishers in these instances will be defended by BMI and all damages will be absorbed under the $1,000,000 insurance policy which BMI got from Lloyds and other underwriters. Stations have been asked to send him copies of the complaints arising from such litigation.

CBS REFUTES ASCAP RAP

CBS reacted with an official denial to one point in an ASCAP publicity release last week. ASCAP asserted new business was falling off on the webs. CBS cited four signatures, including Armour (Wayne King) and Schick (Duffy's Tavern') and the extension of Wrigley's time for 'Dear Mom,' opposite Jack Benny, all recent.

Renewals of Luckies, U. S. Tobacco, Gene Autry and Philip Morris programs have also occurred since the ASCAP break and only one cancellation, 'Charlie and Jessie,' a daytime serial, has occurred (Jan. 17).

CBS figures its January 1941 total of sales to amount to 10 quarter hours against two quarter hours (Nehi) in January 1940, and seven of the ten stars music.

Augustin Lara on NBC Four Times as Publicity Stunt for Latin Music

By way of dramatizing that the most successful pop composer of Latin America is on their (radio's) side, NBC has brought Augustin Lara to New York from Mexico City. He will broadcast over the NBC-Blue at 7:15 p.m. on Feb. 7 and 14 and at 10:15 p.m. on Feb. 5 and 12. One of his proteges, Elvira Rios, will sing while Lara conducts an NBC house group.

Lara was brought here at the suggestion of John Royal, NBC's international v.p., who has recently been in Mexico on another trip. Lara is a headliner on Emilio Azcarraga's XEW in Mexico City. Some 150 of his total of 600-odd compositions are published by Ralph S. Peer's music companies (Southern, etc.) and available to radio.

NBC may also bring Alberto Dominguez to New York from Mexico City. He wrote 'Frenesi' and 'Perfidia.'

Lara will leave for Argentina after his New York sojourn. He speaks English but not on the telephone.

MARY DUNLAVEY'S BERTH

Mary Dunlavey has been named assistant time buyer by Erwin, Wasey & Co., New York.

John Schultz is the agency's chief time buyer.

How Sponsors Answer Public on Music War

Many of the network commercials whose programs contain popular music have developed a stock answer for listeners who complain or protest or comment upon the absence of ASCAP tunes. Some of the advertisers' replies confine themselves to a mere acknowledgement and statement that the listener's communication is being referred to some one in the organization, other formula replies go into detailed explanations as to how the sponsor has no control over the situation, but hopes that it will soon be cleared up, while a few suggest other lines of action that the listener could take in nudging the controversy toward a solution.

Of the last category the most outspoken is the F. W. Fitch Co. This account's stock answer states:

'It is our frank opinion that the quickest way this controversy can be settled is by public protest to the Federal Communications Commission in Washington.'

Briefest letter of the lot is the Texas Co.' 'We have,' writes the oil refiner, 'your postcard (or letter) of recent date commenting upon our radio broadcast. This has been referred to our program director. Thank you very much for writing us.' The signature on these is that of J. A. Tierney, who has charge of Texaco's radio activities.

Kate Smith's Prop

Following is a copy of the stock reply of General Foods:

Dear———

'We have your card dealing with the present music situation on our Kate Smith radio program. Perhaps you are not fully acquainted with the music situation and, therefore, may not know that our not playing ASCAP music is something entirely beyond our control.

'We have always endeavored to furnish our listeners with the best music available. However, we may use only those musical selections for which the radio stations hold licenses. If the stations are not licensed to play certain music, we are prevented from using it.

'We sincerely regret the situation which exists at the present time and we hope that it will be adjusted in the near future. In the meantime, we will furnish our listeners with the best music available to us and hope that you will continue to find our programs enjoyable.

Very truly yours,

J. D. North

Associate Advertising Manager.

Brown & Williamson's Rebuttal

Brown & Williamson's standing reply is that on its programs the 'music is of secondary importance' and that it tries 'to pick the most popular of available music which will fit in with the rest of the program.' 'We are,' continues the letter, 'passing your card on to our agency, and we assure you we will make every effort to keep the music up to the usual high standard.'

Following is a copy of the Fitch answer:

'We appreciate your comments regarding the music now being played on our Band Wagon radio program.

'By this time, no doubt, you are familiar with the controversy between ASCAP and the radio networks. As long as ASCAP does not license the networks to play the music they control—or until such time as the independent writers' music gains popularity—there isn't much we can do.

'It is our frank opinion that the quickest way this controversy can be settled is by public protest to the Federal Communications Commission in Washington.

'We hope you will be tolerant in this situation, over which we have no control, and continue your loyalty to Fitch's Dandruff Remover Shampoo.

'Thanks for writing us, as it is always a pleasure to hear from our Band Wagon passengers.'

Very truly yours,

Gail W. Fitch

THE F. W. FITCH COMPANY

Advertising Manager.

In illustration of this phase of the music war VARIETY reproduces in adjoining column an actual letter as sent out to radio listeners by American Tobacco, sponsor of the 'Hit Parade,' long a 'top plug' among the commercials and previously upon ASCAP best-sellers. Luckies has improvised a substitute method to carry on with non-ASCAP music, adopting the principle of 'most played on the air' (i.e. exclusively BMI or public domain) as the guide for the music played by program.

(Facsimile of Form Letter Used by American Tobacco Co.)

CABLE ADDRESS
PONHATTAN
HOME OFFICE
NEW CITY, N.J.

The American Tobacco Company
INCORPORATED
111 Fifth Avenue
New York

January 15, 1941

Miss [redacted]
[redacted]
Cincinnati, Ohio

Dear Miss [redacted]

Thank you for your letter of January 11th, and for your comments about our radio program, "Your Hit Parade."

Of course, we regret the ASCAP - BMI situation as much as anyone, and we sincerely hope that it will be cleared up in the near future. Until it is, however, there is really nothing we can do except to play the ten most popular tunes of the week that may be played on coast to coast networks.

We were very careful to call attention to the ASCAP - BMI situation, and to state that we were playing the ten most popular tunes of the week "that may be played on coast to coast networks."

We are not taking sides in this matter in any way. We are in exactly the same position that all other network advertisers are in. ASCAP music is not available to us at the present time, and we cannot play it until it is made available to us.

With appreciation of your interest in writing, I am,

Very truly yours,

George W. Hill Jr.

George W. Hill, Jr.

McGrady, RCA Labor V.P., Asks That Unions Not Muddle the Music War

The ASCAP-radio war threatens to create some complications within the ranks of organized labor. NBC moved last week to counteract the efforts of the music publishers' contactmen's union to get other American Federation of Labor units to help it bring about a settlement of the controversy. Edward F. McGrady, an RCA v.p. and former assistant Secretary of Labor, has been injected into the situation. Before he was brought into the RCA organization as a trouble-shooter, McGrady was known as one of organized labor's most able diplomats. At present he is also on the NBC board of directors.

McGrady became active in NBC's behalf on the music situation after Bob Miller, president of the contactmen's union, had appealed to the New York City Central Trade Union Council, an AFL group, for support in preserving the jobs of the 500 members of his union. Miller told the council that unless the fight were settled shortly the very existence of the contactmen's union was threatened. He urged the unions within the council to bombard network clients using musical programs with letters urging them to exercise their influence upon the networks toward effecting a settlement of the conflict with ASCAP. Many of the unions carried out Millers request.

Collins Sets Meeting

In the course of his inquiry on the unions' letter writing McGrady got into touch with William Collins, eastern representative of the AFL, who was instrumental in obtaining an AFL charter for the contactmen's union. Collins arranged for a meeting last week between McGrady and Miller. From members of the contactmen union's executive council it was learned that McGrady had urged, but with the utmost diplomacy, that the union abandon this line of procedure. These council members added that they would strongly oppose McGrady's suggestion.

Prior to his meeting with McGrady, Miller, it was learned last week, had received a letter of protest from Sidney M. Kaye, Broadcast Music organizer. Kaye charged that Miller by his appeal to the trade council had set one class of union man against another, since several union contactmen are employed by BMI.

Several weeks ago the contactmen's union charged BMI with violating the fair trades section of the contract existing between the two organizations. Kaye entered a general denial of the charges and asked for a bill of particulars. As soon as the union's council has completed this bill of particulars the officers of BMI will be asked to appear before the union's executive council and defend themselves from the charges.

Mixed Up

Philadelphia, Feb. 4.

WDAS, one of the four small stations in the Philly area that signed with the American Society of Composers, Authors and Publishers, last week received a letter addressed: 'WDASCAP, Phila.'

Philadelphia.—Edward Wallis, WIP production manager, has been named assistant program director and boss of publicity. Succeeds Bob Horn who was switched to the announcer staff to handle several commercials. Wallis' spot as production manager will be taken by Sam Serota, former program director at WHAT.

ASCAP's Money Problems

Ways and means committee of the American Society of Composers, Authors and Publishers has undergone a reshuffling in anticipation of the many financial problems which will shortly come up for solution within the organization. The big problem will have to do with the conservation of money collected in the event the fight with radio is not settled by the time the next royalty distribution comes due (April 1).

It will be up to this committee to decide on what steps should be taken for a general reorganization of ASCAP's economy and upon what basis the royalties should be distributed so that ample coin remains for carrying on the fight with both radio and the U. S. department of justice, if the latter goes through with its threatened prosecution.

The new ways and means committee consists of Gustave Schirmer, Saul H. Bornstein, Louis Bernstein, Otto Harbach and Edgar Leslie.

OLD GOLD TALENT

Goodman Keeps Teddy Wilson-Hammond on Program

Teddy Wilson will not join the Benny Goodman band per rumors. Pianist, who was a member of the original Goodman outfit, will maintain his own crew, but will cut records and may work with Goodman on latter's new radio commercial. Goodman will soon take the air for Old Gold ciggies.

John Hammond, swing enthusiast and Columbia Record exec, has been signed to accompany Goodman on each of the Old Gold broadcasts. His chores are not clear as yet.

FILM HELPS SELL PEPSI-COLA SHOW

Columbia's WABC in New York City has clinched a contract with Pepsi-Cola by preceding the usual sound audition with a color motion picture made by Presto Synchro showing the audition being made on actual grocery stores. Idea was to illustrate manner in which programs are recorded (for delayed transmission) and the good will dealer angles.

Pepsi-Cola promptly signed for 'Missus Goes-a-Shopping,' of which John Reed King will be emcee.

6th Anniversary—MARTIN BLOCK AND HIS MAKE-BELIEVE BALLROOM—WNEW, NEW YORK—6th Anniversary

Congratulations

To the Number 1 Salesman—

From the World's Number 1 Trumpeter

HARRY JAMES

And His Orchestra

RECENT COLUMBIA RECORDINGS

ELI ELI

MUSIC MAKERS

A LITTLE BIT OF HEAVEN

OLD MAN RIVER

LA PALOMA

CHOPIN'S WALTZ IN C SHARP MINOR

•

Personal Management—DON A. REID
1440 Broadway, New York

Direction—MUSIC CORP. OF AMERICA

Best Wishes

TED LEWIS

Best Wishes, Martin!

JIMMY DORSEY

AND HIS ORCHESTRA

NOW CAFE ROUGE
HOTEL PENNSYLVANIA

Featuring
America's Most Popular Vocalists
HELEN O'CONNELL and BOB EBERLY

Broadcasting for
TWENTY GRAND CIGARETTES
Fridays, 9:35—10 p.m. EST
WJZ and Blue Network

DECCA RECORDS EXCLUSIVELY

Personal Manager—BILL BURTON

GENERAL AMUSEMENT CORP.

To Martin Block
"You're the Tops"

JAN SAVITT

AND HIS

TOP HATTERS

DECCA RECORDS

Management
MUSIC CORP. OF AMERICA

A SUNKISSED
GREETING FROM

ABE LYMAN

And His Californians

CURRENT BLUEBIRD RECORDINGS

MOON OVER AMERICA

LONELY BREEZE

MARIA ELENA

THE PRISONER'S SONG

OH! HOW I HATE TO GET UP IN THE MORNING

MISSOURI SCRAMBLER

NOW—ROYAL PALMS—NOW
Miami, Florida

Personal Management
HARRY WEINSTEIN

From One Martin to Another—

CONGRATULATIONS

FREDDY MARTIN

And His Orchestra

•

BLUEBIRD-VICTOR RECORDING ARTISTS

"Happy birthday to you,
Happy birthday to YOU,
Happy BIRTHDAY, dear MARTIN,
Happy birthday to you!"*

BOBBY BYRNE

AND BAND

WJZ-NBC FOR RALEIGHS...DECCA RECORDS

GENERAL AMUSEMENT CORPORATION

*ASCAP—Courtesy Clayton F. Summy Co.

Best Wishes

MILT HERTH TRIO

"HERTHQUAKES"

Booked Solid Until September 15

•

Exclusive DECCA RECORDING ARTISTS

6th Anniversary—MARTIN BLOCK AND HIS MAKE-BELIEVE BALLROOM—WNEW, NEW YORK—6th Anniversary

"From all 'four stages,' Martin, we're playing a special arrangement of 'CONGRATULATIONS and BEST WISHES' on both your birthdays."

GRAY GORDON

AND HIS ORCHESTRA

featuring

ART PERRY—MEREDITH BLAKE

on BLUEBIRD RECORDS

"I Am An American" "San Antonio Rose"
"Keep An Eye On Your Heart" "Eloise"

Watch for "Surprise" release soon!

Panoram Soundies—February 10th

Currently
LYRIC THEATRE, INDIANAPOLIS, IND.

Personal Representative
ARTHUR PINE
11 West 42nd Street, New York City

Heartiest Congratulations, Martin!

WILL BRADLEY

And His ORCHESTRA

featuring

RAY McKINLEY

Thanks for the way you've featured our best selling COLUMBIA RECORDS

Beat Me Daddy, Eight to the Bar
Scrub Me Mamma, with a Boogie Beat
Down the Road a Piece
Celery Stalks At Midnight
There I Go
Break It to Me Gently
High on a Windy Hill
This Little Icky Went to Town
Three Ring Ragout

Exclusive Management
William Morris Agency, Inc.

RAYMOND SCOTT

Congratulations and Best Wishes for Your Continued Success

TERMINAL RADIO CORPORATION

68 West 45th Street, New York

Radios
Records
Phonographs
Recorders

Good Luck, MARTIN!

DEL COURTNEY

And His
CANDID CAMERA MUSIC

Now on Dance Tour . . .
Opening February 17th,
New Kenmore Hotel, Albany

OKEH RECORDS

5778—Would You Be So Kindly
Keep Your Eye On The Girlie You Love

5720—Now I Lay Me Down To Dream
Basket Weaver

5692—Dreaming Out Loud
I Wouldn't Take A Million

5662—Good Night Again
A Lazy Like-a-Daisy Melody

5616—I Won't Go Home Till You Kiss Me
It Wouldn't Be Love

Exclusive Management:
William Morris Agency, Inc.
NEW YORK CHICAGO LONDON HOLLYWOOD

CONGRATULATIONS, MARTIN!

EMPIRE BROADCASTING CORPORATION

480 LEXINGTON AVENUE
NEW YORK CITY

Lots of Good Luck and Best Wishes To A Nice Guy

From GEORGE HALL and DOLLY DAWN

LATEST OKEH RECORD RELEASES

HOW COME? HOW DID HE LOOK?
IT'S SAD BUT TRUE SO YOU'RE THE ONE
HEP-TEE-HOOTIE (THE JUKE BOX JIVE)
I COULD KISS YOU FOR THAT

Congratulations

MARTIN BLOCK

ALVINO REY—KING SISTERS

SKEETS HERFERT

DICK MORGAN

BLUE BIRD RECORDINGS

6th Anniversary—MARTIN BLOCK AND HIS MAKE-BELIEVE BALLROOM—WNEW, NEW YORK—6th Anniversary

CONGRATULATIONS MARTIN BLOCK

ORRIN TUCKER
AND
BONNIE BAKER

Mgt. MUSIC CORPORATION OF AMERICA

Congratulations, Martin. Best Wishes for Many More Birthdays!

VAUGHN MONROE

and the Boys in the Band

Currently — Hotel Statler, Boston
CBS—Fridays 12:05-12:30
Saturdays 11:15-11:45

Latest Bluebird Releases

I DO MEAN YOU
LONE STAR TRAIL
SALUD, DINERO Y AMOR
DONKEY SERENADE
HIGH ON A WINDY HILL
LAST TIME I SAW PARIS
LAST ROUND-UP
ACCIDENT'LY ON PURPOSE

Personal Manager
MARSHARD'S MUSIC

Exclusive Management
William Morris Agency, Inc.

TO MARTIN BLOCK, THE PIONEER, FOR WHOSE HELP WE SHALL BE FOREVER GRATEFUL

Thanks for Playing:

FRENESI	FIVE O'CLOCK WHISTLE
THERE I GO	THE GOLDEN WEDDING
BEAT ME DADDY	YOU'RE THE ONE (FOR ME)
DREAM VALLEY	THE STARS REMAIN
LOVE OF MY LIFE	CHIPS' BOOGIE WOOGIE
BESSIE'S BLUES	CHIPS' BLUES

WOODY HERMAN

And His Orchestra

•

EXCLUSIVELY DECCA

•

HOTEL NEW YORKER
NOW IN 7TH WEEK AND
HELD OVER FOR 16 WEEKS

CONGRATULATIONS TO MARTIN BLOCK
Six years on WNEW, and every year a wow!—from

MITCHELL AYRES

and his "Fashions in Music" orchestra

Twelve sides for Bluebird in four weeks, and every side a sensation!

NOW ON TOUR—DIRECTION MCA
Personal Management H. JOHN GLUSKIN

Congratulations, Martin!

COUNT BASIE

AND HIS ORCHESTRA

Currently on record-breaking theater and ball room tour

Latest Columbia Records

THE WORLD IS MAD, PARTS I and II
ROCKING THE BLUES
VOLCANO
FIVE O'CLOCK WHISTLE
MY WANDERING MAN
DRAFTIN' BLUES
WHAT'S MY NUMBER?

Exclusive Management
William Morris Agency, Inc.

---

3 Chips Off Martin Block

THE ANDREWS SISTERS

MAXENE LAVERNE PATTY

"We'll Always Remember"

Makahiki Hou, Martin!

From

RAY KINNEY

Hawaii's Musical Ambassador to the Mainland

HOTEL CLARIDGE, MEMPHIS
OPENING FEB. 14, ADOLPHUS, DALLAS
VICTOR RECORDS—GAO

Personal Management H. JOHN GLUSKIN

A Royal Salute to
THE KING OF THE MICHROPHONE
FROM
THE KING OF THE SAXOPHONE

CHARLIE BARNET

And HIS ORCHESTRA

BLUEBIRD VICTOR RECORDS

'I HEAR A RHAPSODY' 'REDSKIN RHUMBA'
'WINGS OVER MANHATTAN' 'POMPTON TURNPIKE'

ON SOUTHERN TOUR
Direction MUSIC CORP. OF AMERICA

6th Anniversary—MARTIN BLOCK AND HIS MAKE-BELIEVE BALLROOM—WNEW, NEW YORK—6th Anniversary

TO MARTIN:—

YOU'RE A GRAND SLAM . . .

THE ACE DRUMMER MAN

GENE KRUPA

and HIS ORCHESTRA

EXCLUSIVE COLUMBIA RECORDINGS

OPENING FEBRUARY 25

Frank Dailey's

MEADOWBROOK, CEDAR GROVE, N. J.

FOR 6 WEEKS

PARAMOUNT THEATRE, NEW YORK

LATTER PART OF APRIL

Greetings!

VINCENT LOPEZ

AND HIS ORCHESTRA

SHOW OF THE WEEK
WOR—MUTUAL NETWORK
Sundays 6:30-7 P. M. EST

NBC THESAURUS SERVICE

VICTOR—BLUEBIRD RECORDS

Exclusive Management
WILLIAM MORRIS AGENCY

Congratulations

GALE, INC.

FOUR INK SPOTS
Decca Records

ELLA FITZGERALD
Decca Records

ERSKINE HAWKINS
Bluebird-Victor

LUCKY MILLINDER
Columbia Records

AL COOPER
And Savoy Sultans
Decca Records

TINY BRADSHAW
Decca Records

CONGRATULATIONS!

Thinking of You

KAY KYSER

Exclusive Management—MUSIC CORPORATION OF AMERICA

Heartiest Congratulations

JOHN KIRBY

And His
ORCHESTRA

COLUMBIA RECORDS

Direction
MUSIC CORP. of AMERICA

MAY THE TURNTABLES
KEEP SPINNING

BENNY GOODMAN

No Make-Believe About This Greeting—
To Martin Block and His Make-Believe Ballroom
Happy Anniversary

JIMMIE LUNCEFORD

AND

HAROLD OXLEY

TOMMY TUCKER

AND HIS ORCHESTRA

Featuring AMY ARNELL, DON BROWN and KERWIN SOMERVILLE

CURRENT OKEH RELEASES

That Old Sweetheart Of Mine
You're A Lucky Fellow, Mr. Smith
Big'n Fat'n 44
Seven Beers With The Wrong Woman

GREATER NEW YORK POT OF GOLD
Wednesday, 8:30-9 P.M., WMCA—WNEW—WHN

Personal Management—JOE GALKIN

WRITERS' GUILD SETS PACTS

Reasonable Hours for Kids

The Radio Education Committee of the Michigan Secondary School Association in its latest mimemographed bulletin endorses the CBS 'School of the Air' because it's heard in the mornings and regrets that many educationals broadcast by NBC are at the wrong time of the day. Says the bulletin:

'NBC and CBS do not see eye to eye as to the solution of the educational broadcast problem. While CBS prepares and broadcasts a regular schedule of School broadcasts in school time, and supplements this with educational broadcasts at other hours, the NBC has evolved the rather disappointing philosophy that educational broadcasts cannot be so organized as to adequately meet school needs, i.e. school broadcasts during school hours are of little value due to time zones throughout our nation, and the difficulty of educators in adapting their school schedule to hear broadcasts. Hence, many broadcasts, splendidly prepared, which schools might like to hear are scheduled for such unseemly hours as 10:30 and 11:30 p.m. We wonder who listens to 'Doctor's At Work,' an excellent program prepared by the American Medical Association, but sent to Michigan listeners at 10:30 p.m. on Wednesday evenings. How many hear 'Science Unlimited' which reaches us in Michigan at 11:30 p.m. on Tuesday? Or 'Story Behind the Headlines' at 11:15 p.m. on Fridays? Certainly teachers cannot assign these programs as out-of-school listening at such an unreasonable hour.

However, NBC does send out the Damrosch hour on Fridays from 2-3 p.m. and thus contradicts its own philosophy. In addition some of its public service features do arrive in Michigan at a fairly reasonable hour. Witness 'Town Meeting' at 9:35 p.m. on Thursdays and 'Man and the World,' a dramatization of scientific research at 8:15 p.m. on Saturdays. It is a difficult task to please everyone, we know, but why not go back to your plan of last year, NBC, and give the schools some public service during school hours? We liked it, used it, and would appreciate it again.

JOE RINES AT WMCA, N.Y.

Joe Rines takes over the post of musical director at WMCA, New York, March 22. He replaces Lee Grant as leader of the station house band. Grant and his outfit of 11 men are currently on the required eight-week notice which expires just prior to the date. Lou Wachs, sax playing member of Grant's outfit, who is the union contractor for the outlet, is the only one who remains.

Rines has headed outfits of his own at the St. Regis hotel, N. Y., for many seasons. For awhile he dropped that calling, however, to operate the Club Evergreen, Bloomfield, N. J. That was last summer. More recently he directed a band at the Providence-Biltmore hotel, Providence, R. I.

GAFFNEY LEAVES CBS FOR MAGAZINE JOB

Maury Gaffney, copy and promotion writer for CBS during the past three years and prior to that CBS trade press chief, has resigned. He will head the promotional department of Magazine Marketing Service, a non-profit organization sponsored by the 63 leading magazines to further magazine interests.

Laura Hopson is also out of a CBS sales promotion.

Ed Gardner to N.Y. For 'Duffy's Tavern' Show; Shirley Booth in Cast

Schick Razor has closed for the CBS-created show, 'Duffy's Tavern,' through the J. M. Mathes agency. Series, featuring Ed Gardner as 'Archie,' starts in the CBS 8:30-8:55 p.m. Saturday spot March 1. John Kirby's orchestra and Gardner's wife, Shirley Booth, are the only two other items set. 'Duffy's Tavern' makes the first and only sale of the 'Forecast' shows which the Columbia network put on last summer. Gardner gets $4,000 a week on the package deal.

Since 'Tavern' will have to be done from New York Gardner is due to give up his assignment of producer on the Rudy Vallee-Sealtest show, which originates regularly from Hollywood. Abe Burrows, chief comedy writer on the Vallee stanza, is making the shift with Gardner. Miss Booth is currently playing the lead in 'My Sister Eileen,' at the Biltmore, N. Y., and the curtain will have to be held for her at the Saturday night performance.

Old Gold Tests Start

Old Gold starts both its test shows this coming week. 'Four Corners, U.S.A.' serial goes on the Yankee Network Sunday (9) from 3 to 3:30 p.m. and Benny Goodman debuts for the cig account on a single station, WJZ, N.Y., the next evening (10).

Goodman's time is 7:30-8 p.m.

Actors Union Weighs Wax Code

To Negotiate or to Impose Is the Choice of Strategy on Transcriptions

American Federation of Radio Artists national board may decide at its weekly meeting in New York tomorrow (Thursday) on the procedure to be followed in setting up a code for transcription production. Two alternatives are open. One would be to submit the 'final' draft to the transcription makers for negotiation. The other would be to attempt to impose it without further discussion. This would be done by notifying all AFRA members not to appear on transcription programs unless the company has signed the code and is observing AFRA's proposed regulations.

Emily Holt, national executive secretary, planed to Detroit yesterday (Tuesday) morning to obtain a renewal of the soon-to-expire contract with station WXYZ there. No difficulty is anticipated on the matter. Existing agreement covers sustaining and commercial programs and all classifications of staff and free-lance announcers, singers and actors. No changes are expected in the new pact. Mrs. Holt is expected back in New York in time for tomorrow's national board meeting.

Issuance of AFRA licenses to talent agents is nearing completion. Only about 20 or 30 doubtful cases are pending and the union hopes to have them cleaned up within a few weeks. All the agents have applied and the principal complications are merely matters of incomplete data supplied by the percenters.

WEBS FIRST, THEN AGENCY DEALS

Three Years of Groundwork Beginning to Show Results for Guild—Also Organizing News Writers at CBS, and Later at NBC—Literary Rights to Work Involved

UNION SHOP?

After three years of steady groundwork, the Radio Writers Guild is about to win recognition and extensive concessions on three different fronts almost simultaneously. Agreements have already been worked out for staff scripter contracts at NBC and CBS and for news writers at CBS. In addition, negotiations for a contract with the advertising agencies is making rapid progress.

All essential details of the agreements for NBC and CBS staff scripters have been settled and the contracts are now being put into final form by attorneys for the network and Guild. Pacts will probably be signed within a week or two. They will provide for a Guild shop, base pay for sustaining writers, with extra coin for commercial programs and for audition scripts for shows to be submitted for sponsorship.

Other provisions are for salary increases and clarify the ownership and disposal of subsidiary rights. In the latter category, the general requirement is that the author gets 90% of literary and dramatic rights and 75% of the picture rights, but the company will act as agent for six months after the material is written, after which the writer will handle his own deals.

Guild was unable to obtain any concession as to the repeat broadcast rights on scripts, the networks retaining rights for all subsequent broadcasts, regardless of whether or not the writer is still in the company's employ. Any material written on the author's own time remains his own property, but he may not write radio material (which would theoretically be in competition with his output for the company employing him) without the network's consent.

Verbal agreement for news writers at CBS calls for Guild shop, minimum salaries (generally involving boosts over present pay), an apprentice classification (with a proviso that no more than 20% of the writers may be apprentices), general salary raises, ownership of all material written on the employee's own time. Deal, which is to be put into writing soon, will be retroactive to Jan. 1. It does not provide for extra pay for sponsored shows.

Meet With Four A's

Several meetings have been held by committees representing the Guild and the American Assn. of Advertising Agencies and another is slated for tomorrow (Thursday). Guild committee includes Erik Barnouw, Katharine Seymour, Stuart Hawkins (replacing Ruth Adams Knight, who ill), Henry Fisk Carlton and Luise Sillcox. Committee for the Four A's includes A. K. Spencer (J. Walter Thompson), chairman; Leonard Bush (Compton), C. Lawton Campbell (Ruthrauff & Ryan) and Frederick Gamble (Four A's).

From the outset the Guild has run into the same difficulty with the Four A's committee that the American Federation of Radio Artists encountered two years ago. That is, the Four A's, dependent on the good will of its member agencies and without actual authority, is unable to come to any agreement binding on the agencies. However, the Guild figures it has three possible alterna-

(Continued on page 46)

Dorothy Lewis Reports on Long Tour; Sees Wax Natural for Juve Shows, 1,500 Moppet Programs in U. S. A.

By ROBERT J. LANDRY

Upon completion of six months trip by automobile to 168 cities and including personal calls upon 341 radio stations (and correspondence with another 150) Mrs. Dorothy Lewis, of The National Council on Children's Programs, reported Tuesday (4) at a luncheon at the Hotel Roosevelt, New York, some of her conclusions.

These are more or less her general impressions:

1. *The natural children's hour 5-6 p.m. and the four time zones suggest transcriptions, rather than networks, as the ideal kid show medium.*

2. *Every radio station in the country should be encouraged by clubwomen to have at least one half-hour devoted to childhood entertainment between 5-6 p.m.*

3. *Lower time rates for children's hour programs should be urged upon broadcasters as a possible contribution to public service.*

4. *There should be more educational touches in the showmanship programs and more showmanship in the educational programs for kids.*

5. *More consideration should be given for the child's sense of humor and its development.*

6. *Advertising agencies should give local story tellers a sympathetic hearing.*

The remarks of Mrs. Lewis were tentative and will be reduced to careful, documented data for subsequent distribution by the National Association of Broadcasters, which encouraged the survey and provided $1,500 as part of the travelling expenses for Mrs. Lewis and her daughter.

1,500 Kid Programs

There are, it would appear from the partially analyzed data of the Lewis swingaround, some 1,500 separate programs on American radio stations falling into the 'children's show' category. These range from the standard Saturday morning amateur frolic to programs promoted by librarians, school boards, music instructors, Boy and Girl Scout enterprises, etc.

Mrs. Lewis reports exceptional activity of rural county schools where the students prepare complete radio entertainments. Kids are brought into a nearby town by bus to broadcast. Local historical material is being exploited more and more and the Junior Leagues around the country are interesting themselves in kid's programs. Quiz wiz stuff, special news programs for children are also on the upbeat.

The Saturday morning amateur shows have been 'cheap and easy' and on the whole fairly popular. They usually are staged in a local theatre with a moving picture tossed in to make a complete halfday of entertainment. Music teachers of the 10-quick-lessons genre are priming children for such single appearances on the radio, this being the goal, the end and the payoff of all cultural application. Mrs. Lewis frowns upon some of these offshoots of the phenomenon.

Along the route of her nation-wide grand tour the clubwomen's representative beat the drum for the N.A.B. code. She met leaders of all sorts of women's groups, some 5,000 of them, arranged the distribution of 54,000 copies of the code, made 63 broadcasts, hundreds of speeches, wrote 1,200 letters and reports and consumed creamed chicken, green peas and shoestring potatoes at more luncheons, dinners and banquests than she likes to remember, or would want to repeat.

The big source of satisfaction for the ladies is Mrs. Lewis' coup in persuading General Mills to make a $4,000 cash grant to the radio division of the University of Iowa for experiments in children's programs. This is first time a commercial broadcaster has made a grant of the kind usually provided by endowed foundations.

HILL'S SHOWS UP AND DOWN

Two of the three network shows of the American Tobacco Co. (Lucky Strike) have been undergoing a consistent downtrend in rating. The 'Hit Parade' is now down to 15.7 and Kay Kyser to 20. 'Information, Please,' the exception, this time recovered its previous depression and obtained a rating of 15.1.

Interesting sidelight on 'Information' is its relative rating to another quiz, 'Truth or Consequences' (Procter & Gamble). Latest rating of 'Truth' is 15.6. George Washington Hill's bill for 'Information' is $8,500 a week, whereas P&G's overall cost on 'Truth' is around $1,400.

American Tobacco explains this disparity of ratings away with the remark that there is still quite a difference in the classes of audience and that it originally acquired 'Information' for the type of listeners it drew.

Tax for FCC Support to Fore Again

Accounting Division Now Making Report on Matter to Chairman James L. Fly

Washington, Feb. 4.

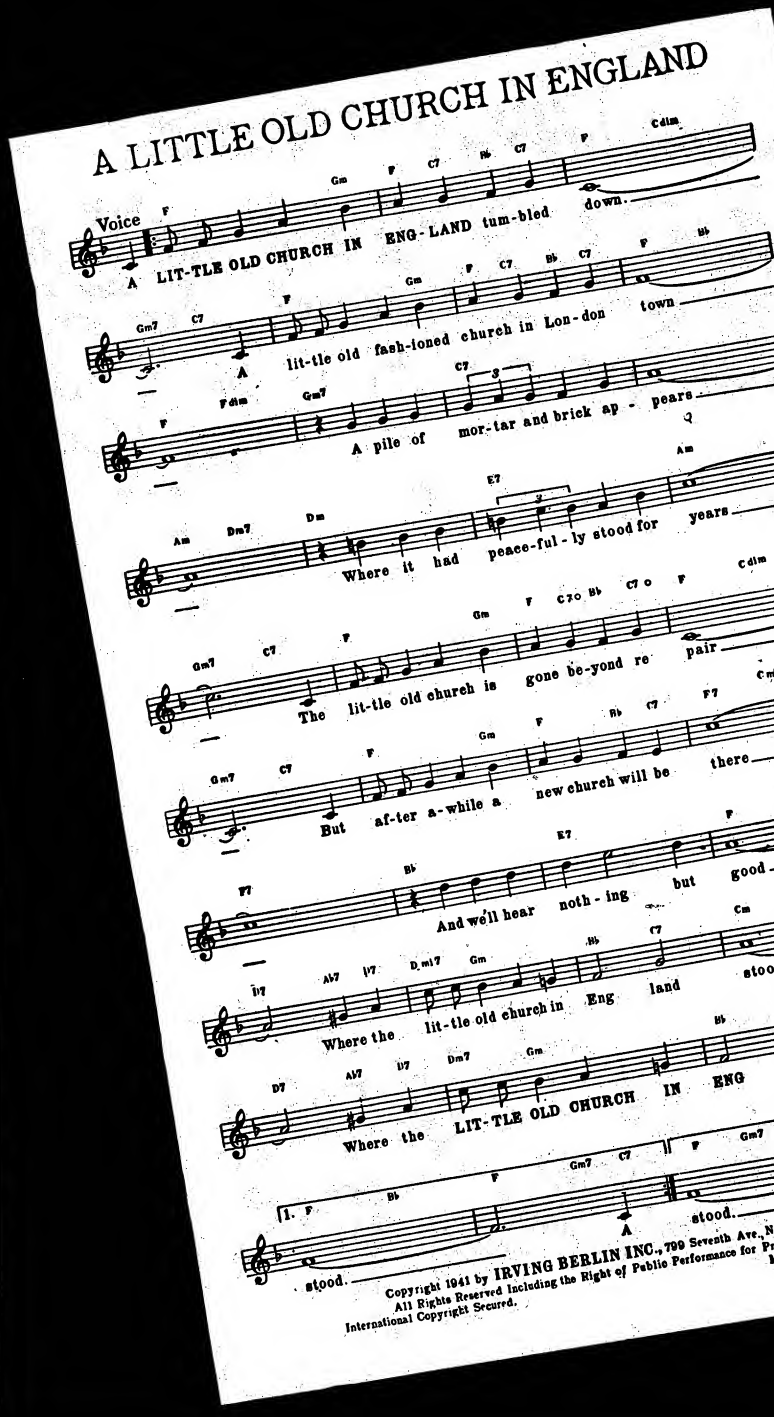
Imposition of a license fee or revenue or wattage tax—designed chiefly to defray cost of regulation, not bolster Federal income generally—looms on the horizon once more. Studies to determine scale of charges that would make the Federal Communications Commission self-supporting are nearing a conclusion and the subject is to be weighed shortly by the regulators.

Report discussing possible bases for payments by the industry is being written by the FCC accounting department at the suggestion of Chairman James L. Fly, who indicated recently he feels there is merit in repeated suggestions that the stations should make a monetary contribution toward the support of the Commish. In the past there have been suggestions that telephone and telegraph companies, ships, amateurs, and all others under Commish jurisdiction also should help pay the bill, which normally is in the neighborhood of $2,000,000 to $2,500,000 a year.

Flat 15% impost on either net or gross take of stations and networks was suggested recently by Rep. Richard B. Wigglesworth of Massachusetts, while the labor unions in the printing trades have come out for a graduated scale of taxes on the aggregate income of all but the smalles transmitters.

On the basis of 1939 reports to the FCC, a levy Wigglesworth suggested would produce considerably more than the Commish normally spends even if limited to the net profits. And if imposed on the gross revenue, the tax yield would be materially more than the Treasury now gets from a number of miscellaneous sources.

NO ONE CAN ST



TWO 19

IRVING

INTRODUCED

"ASCAP (
PROG

HERE ARE

NO ON
STOP
HI

IRVING B
799 SEVENTH
CHARLES WA

OP THESE HITS!

SONGS

BERLIN

URDAY FEB. 1

PARADE"
RAM

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THESE
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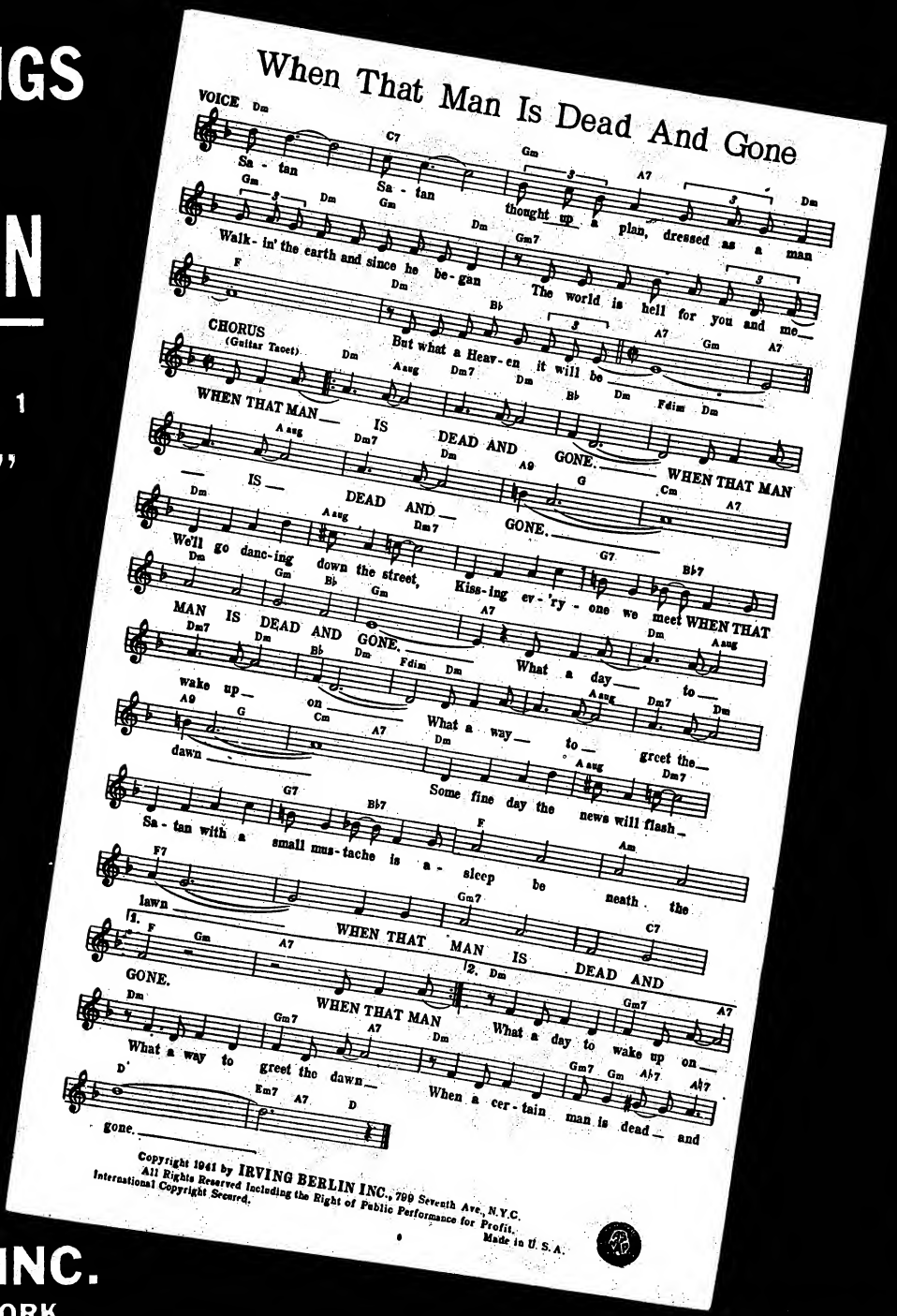


RLIN, INC.
VE., NEW YORK
N, PROF. MGR.

McCormick of WGN Seeks New York Guarantee on Clearance for Mutual; Publisher Patterson Sought WMCA

Persons' close to Col. Robert F. McCormick, owner and publisher of the Chicago Tribune and WGN, are wondering whether he will abandon the idea of making WMCA the New York outlet for the Mutual Network now that there is no chance of him and his New York associate-partner, Capt. Joseph Medill Patterson, getting control of WMCA. Latter station's ownership passed to Edward Noble, chairman of the Life Savers board, several weeks ago. Patterson is publisher of the N. Y. Daily News.

Capt. Patterson, who has backed President Roosevelt on all his paramount issues but the lend-lease bill, was interested in getting WMCA. When, it is reported, Washington efforts failed the captain approached Donald Flamm, WMCA's licensor, but the latter had already closed his deal with Noble. Noble declared last week that no approach has been made to him by the News publisher. Patterson has already undertaken to obtain a frequency-modulation franchise.

As understood in the radio trade McCormick has for some time been dissatisfied with the schedule clearances that Mutual has been receiving on commercial program from WOR, the network's New York key and major stockholder, and he thought the New York situation might be remedied if his publishing partner, Capt. Patterson, could acquire the ownership of some New York station. WOR's local commitments have frequently made it impossible for Mutual to guarantee the same time on WOR as for other parts of a commercial hookup. As a result of this situation WOR has had to resort to the device of delayed (recorded) broadcasts for Mutual accounts.

McCormick has during the past two years taken an active interest in radio, appearing frequently on programs that WGN feeds to the Mutual Network. His stock ownership in Mutual is no greater than WOR's. Each owns 24% of the stock, and as new stockholders come in each is committed to surrender an equal number of shares so that neither can exercise more stock control than the other.

BIRMINGHAM OK GOES THRU

Washington, Feb. 4.

Long fight for transfer of license of WAPI from an Alabama college group to Voice of Alabama, Inc., was won Thursday (30) when the Federal Communications Commission granted the plea for voluntary assignment.

A few changes in the leasing arrangements between the colleges and the Voice of Alabama company terminated a long legal struggle arising from Commish displeasure over the original proposal. The present licensees—Alabama Polytechnic Institute, University of Alabama and Alabama College—will retain ownership of the station's physical equipment which will be leased to the assignee, but will take no part in the operation of the transmitter.

Request for a voluntary assignment of license to Voice of Alabama was turned down by the FCC two years ago, and the United States Supreme Court held the Commish denial could not be appealed to the District of Columbia Court of Appeals because of a technicality resulting from phraseology used in the statute. Request was made shortly afterwards by WAPI and the Columbia Broadcasting System (which has a large minority interest in Voice of Alabama, Inc.) for creation of a special 3-judge court in Alabama to review the Commish's action.

Need for further legal action was nullified with last week's approval of the application. Principal objection of the Commish—over a long-term lease with recapture clause in the original proposal—has been removed with the recapture clause deleted and a more equitable leasing arrangement provided.

STRICTLY CHEERFUL WTMJ

Declines Program of Wisconsin Monument Builders Association

Milwaukee, Feb. 4.

When the Wisconsin Monument Builders held their annual state convention here this past week they concluded after lengthy discussion that a good way to plug the gravestone business would be to put a radio show of appropriate design on the air about three times a week for a 52-week period, just for a thorough tryout, and arranged a liberal budget accordingly.

But when the duly delegated committee called upon WTMJ execs to close a deal and sign contracts they met with a rebuff that floored them. The memorial craftsmen were informed that WTMJ would accept no commercial to advertise monuments, mortuaries or cemeteries—that it was the station's fixed policy to ban programs that might have a depressing effect upon any of its listening audience which in the main is seeking entertainment from its radios.

Incidentally, other WTMJ inhibitions are night clubs, mixed drinks and liquor of all kinds. Beer is O.K.

Schneiderwind, Who Raised WJBK Issue, Is 'Conscientious Objector'

Detroit, Feb. 4.

After provoking some uproar here in claiming he was dismissed from a radio station to circumvent his rehiring as an announcer when he returned from the draft, Henry C. Schneiderwind, who worked professionally under the name of Henry Charles, turned out to be Detroit's first conscientious objector to the same draft.

His accusation that station WJBK let him quit on New Year's Eve because he was headed for the Army and it was a way of evading the law —a charge denied by the studio which said his release was in the normal course of business—brought a Federal warning to stations here not to fire employees on the eve of their being drafted. Warning was not sharp, for all the stations here have issued statements that any employees drafted will find their old jobs waiting when they return.

Schneiderwind's conscientious objections did not take the form of refusal to register in the draft. He merely indicated himself as opposed to war on foreign soil, that his conscience would not permit him to kill a man on foreign soil. The Army assigned him to Camp Custer and indicated on his card that he was to be assigned to non-combatant work.

PEPPER ON DISCS

Jack Arthur, Margaret McCrae, Pick and Pat, Van Steeden on Series

San Antonio, Feb. 4.

Dr. Pepper Bottling Co., will inaugurate a transcribed spot campaign on a group of 33 stations. Broadcasts will be aired here through WOAI and have been set through Benton & Bowles.

On the half hour show titled the Dr. Pepper Parade, Jack Arthur will be male soloist, Margaret McCrae will be the feminine vocalist as Pretty Peggy Pepper. There'll be a comedy sequence by Pat Padgett and Pick Malone (Pick and Pat).

Orchestra under the baton of Peter Van Steeden.

First airing will be Feb. 14.

81 Premiums In Half Year Of WOW Shows

Omaha, Feb. 4.

Something of the extent of the giveaway business radio has gone into is shown in a display at WOW, where 21 premiums offered in the next six months are on view. Included is everything from dishes, saucepans to Bibles, cameras to house dresses. Promotion Manager Howard O. Peterson arranged the display. Premiums were catalogued as follows: juvenile, 11; kitchen, 8; household, 18; miscellaneous, 12; maps, books, stationery, etc., 18; cosmetics, 8; jewelry, 6. Most frequently used premium was teaspoons. Jewelry also popular. Juvenile giveaaways included games, handkerchiefs, cutout books, etc. During week of January 5 alone, WOW offered 22 premiums.

Freelance Radio Actor St. L. in Jug as Thief

St. Louis, Feb. 4.

Howard W. Sanders, 29, a freelance radio actor and entertainer known as Hugh Sanders was jugged by local cops last week and is said to have confessed to one burglary and six thefts of women's purses that netted him $37 in cash and two diamond rings valued at $450 since last October. Cops say that Sanders, in the guise of an entertainer, visited homes where musicales, etc., were given and copped the purses and rings. At one of the homes the family was absent so Sanders made a forced entrance.

He sold one of the rings to his girl friend for $10 and presented her with the other. Sanders is on parole from a sentence of one year in the city workhouse for similar thefts in 1939. Sanders has had roles in 'The Land We Live In' series produced by KMOX for the Union Electric Co. of Missouri.

Fabulous Doc Brinkley Bankrupt

Most Colorful of Radio's Early Medicine Showmen Comes to Grief in Texas

San Antonio, Feb. 4.

Dr. John R. Brinkley, fabulous broadcasting doctor and operator of a medico leaflet and prescription mail order house, is bankrupt. He filed in the Federal district court here listing assets of only $30,000.

Long resident at Del Rio, Texas, in an imposing showplace from which he operated XERA just across the border in Mexico, Brinkley has more recently returned to Little Rock, Arkansas. It has been his recent habit to commute from Little Rock to Del Rio in a private aeroplane. Part of his broadcasts were in person, part through transcriptions.

Brinkley's income has in the past run to Wall Street dimensions. His staff's wholesale prostate gland operations on the farmers and hillbillies of the great south-middlewest area were commonly supposed to gross over $1,000,000 a year. Brinkley's notoriety and his practice were alike results of his daringly frank radio broadcasting. During his Milford, Kansas days and after his Mexican 'exile' (forced by Washington) he was the arch-prototype of the mail order physician to the world at large. He had an elaborate yacht, loaded himself and his wife with sparklers and maintained a teen-age son with a valet and ultra car.

It has been freely rumored in recent months that Brinkley's continued tenure of a Mexican wavelength was in danger. Political changes, good neighborism and desire of powerful Mexican business interests to recapture the profitable border stations all combined to present Brinkley with a set-up where his prospects were clouded. Brinkley could, it was reported, no longer stand the gaff.

Norman Baker, this contemporary in offside broadcasting, has been in eclipse some three years. Like Brinkley the American Government hounded him to the Mexican border. Baker's specialty was cancer.

From the Production Centres

IN NEW YORK CITY

Mildred Lynn, radio actress, has left the hospital after three weeks' treatment for infection from burns received while getting a permanent wave....Frank Dahm replaced Frank Gould and Ken McGregor succeeded Hi Brown as writer and director, respectively, of 'City Desk'....James Meighan played the lead last week, instead of Chester Stratton....Arnold Moss added to 'The O'Neills'....Bert Gordon and Jinx Falkenberg, who closed Saturday (1) in 'Hold on to Your Hats,' planed to the Coast for spots on tonight's (Wednesday) Eddie Cantor show....Glenda Farrell guests Saturday (8) on 'Lincoln Highway'.

John E. McMillin, Compton radio head, goes to the Coast the end of the month for a vacation....Adrian Rollini trio does a one-timer on the Alec Templeton show Friday night (7)....Will Bradley and Ray McKinley guest on the same stanza Feb. 28, from Chicago....Ralph Edwards taking his 'Truth or Consequences' show to Baltimore next week, to Los Angeles and San Francisco in March and is being booked for the Interstate circuit in Texas....Niles Trammell chairman of the civilian mobilization committee for the Salvation Army fund drive....WINS has set plans for covering all track meets at Madison Squire Garden this winter....WNYC will air its second annual American music festival Feb. 12-22....Kennedy Ludlum, WOV announcer, changed his name to Bob Kennedy, but quickly switched back when a Norfolk, Va., femme looked him up because she had been deserted by a husband of that name.

Maurice C. Dreicer, the 'one-man broadcasting industry,' has still another new series on WOV....It's 'Who Is It?' and involves listeners guessing the identity of celebrities, via waxed spiels....Henry Morgan now heard coast-to-coast via Mutual, having added a rebroadcast to his six-weekly series....has dropped all staff announcing, but continues on Morey Amsterdam's 'Laugh and Swing Club'....William A. Schudt, Jr., Columbia Records general manager, recovered from three-week flu attack....Frazier Hunt, now roving reporter on Mutual, leaving for trip to gather broadcast material....Frank A. McMahon, producer of 'Gay 90's' series, has taken offices in the CBS building.

Pauline Alpert, pianist over WOR, doubling in the show at the Sutton hotel....WINS airing 'Band That Came to Breakfast' shows Friday mornings, with grub and coffee, plus swing sessions by visiting name orchestras, at the Mayflower hotel....25 listeners, chosen for their letters to the program, are also guests....Harold Manson now narrator on 'It Happened This Week' series on WHN.

Arlene Francis will be one of the two leads on WOR's five-a-week '9:40 Shopper's Club' for Macy's, starting Feb. 17....Juan Jose Saro will sub Saturday (8) and Tuesday (11) on WOR for Don Arres, while the latter plays a Philly theatre date....Marian Shockley on last Friday night's (31) Kate Smith show....Jean Muir a guest on 'Your Favorite Song'.

Hu Shih, Chinese ambassador; Ian Mackenzie, Canadian minister of health, and Sir Willmott Lewis, head of the American bureau of the London Times, will address the 'School of the Air of the Americas' at Atlantic City Feb. 27 and in New York Feb. 28-March 1....Leland Stowe, George Sokolsky, Lawrence Dennis and Maurice Hindus guest speakers on tomorrow (Thursday) night's 'Town Meeting of the Air....Augustin Lara, Mexican composer and pianist, will do four programs of his own music over NBC blue (WJZ) Wednesday and Friday nights of this week and next....because he didn't want to give Western Union all the plugs, Darryl Zanuck ordered all mentions of the company's name deleted from the script for the excerpt from the forthcoming picture of that name, when the piece was done on the Kate Smith show last week with Robert Young.

Dr. Henry Lee Smith doing it the hard way on his 'Where Are You From' series over WOR-Mutual by using professional actor guests on the show....Peggy Conklin and Albert Hackett, leads of 'Mr. and Mrs. North,' are tonight's (Wednesday) visitors....WOR's beauty advice show, 'Here's Looking at You,' moved to a night spot....'Ahasuerus and Esther,' new opera by Polish refugee, Ignatz Waghalter, gets its first American performance Monday (10) night over WQXR, with the composer conducting and the cast including Beatrice Lind, Igor Gutman, William Tucker, Paul Dennis and Saul Meisels.

Jane West, author of 'The O'Neills,' played role last week despite bronchitis....now she has written herself out of the script and leaves for Florida, Feb. 13....Richard E. O'Dea of WNEW left for a three-week vacation in Florida over the weekend....Spencer Bentley back to work for Paramount newsreel as narrator and on radio skits after bronchial attack kept him from talking for nearly 10 days.

Walter Houston guests on 'Campbell Playhouse' Feb. 14 and March 7....Jeannette MacDonald and Gene Raymond have the assignment Feb. 21 and Paul Muni fills the spot Feb. 28....Douglas Fairbanks is the one this Friday (7) night....Anna Erskine has gone to Woodstock, N. Y., for a week....'Uncle Bob' Sherwood, retired acrobatic clown, guests tomorrow (Thursday) afternoon on 'Around Staten Island' via WNYC....Peg La-Centra made an audition recording last week for a new commercial series ....she's already vocalist on the Gulden program.

Wythe Williams out of the hospital and recuperating from flu....Charles Stark begins new series, 'Music for Today,' on WABC this week....George Bryan announcing the 'Aldrich Family'....Ed Mayehoff's one-man show off WOR-Mutual....slated to return soon in a variety series....Paul Stewart on 'Manhattan at Midnight' tonight (Wednesday)....guests on the Andre Kostelanetz-Albert Spalding show include Muriel Dickson this Sunday (9), followed by John Charles Thomas and Rise Stevens....others to be heard soon include Rose Hampton, Lily Pons, Gladys Swarthout and James Melton.

IN HOLLYWOOD

Lawrence Lowman came to town but the casualty list at Columbia Management was negligible after he crossed the border into Mexico. Only George Johnston, a recruit from the studio tours staff, and Jeanne Burke, office worker, were parted from the payroll....Bill Morrow and Ed Beloin finding more inspiration and less distraction around the desert cactus near Palm Springs, hence most of the scripts for Jack Benny are dreamed up there....Ben Bernie moving the lads east this week for the Bromo series. Ditto for Horace Heidt and his Pot o' Golders....NBC let down the bars on the Greek relief show from Chinese theatre Feb. 8 and made it available to all stations. Original deal gave the chain an exclusive. Tariff for broadcast is $10 a head for the 2,000-seat house....Charlie Bullotti out as producer of Tommy Dorsey's 'Fame and Fortune' ....Danny Danker one of the town's many grippe victims and bedded for better part of a week....King's Men held for another quarter on 'Fibber McGee and Molly'....Nancy Gray transcribing star interviews for Milwaukee Journal station....Gayne Whitman, the original 'Chandu,' will call the sponsor's shots with Kay Kyser beginning Feb. 12.

IN SAN FRANCISCO . .

Ernie Smith of KYA back from Mexico City....Jennings Pierce added things up and finds KGO-KPO pumping out 94 public service programs weekly....Gene Clark, NBC sales promotion manager, named to Frisco C. of C. Domestic trade committee....KYA' weekly Chamber of Commerce programs are being waxed for international rebroadcast on KGEI at 5:30 a.m. Tuesdays....KFSO is handling a course in radio appreciation for Frisco Junior College, with weekly lectures by R. W. Dumm, special events, Haan Tyler, radio sales, Lincoln Dellar, station management and Doc Howard, engineering....Phil Bovero, composer-arranger, added to KGO-KPO musical staff.

Mutual January Gross, $505,231; NBC, CBS Figures Now a Secret

NBC and Columbia has clamped down on the trade or public release of its monthly billings. Mutual, which was not invited by NBC and CBS to participate in this change of policy, will continue to give out the information. Mutual's gross for this January was $505,231, or 59% what it had been for the like month of 1940.

The two earlier networks have been sensitive for some time to the use which this published information about their income has been put in, particularly controversies with labor groups, ASCAP and educational elements. NBC and Coumbia found a way out of the dilemma during the convention of the National Association of Broadcasters in San Francisco last August when there was introduced a resolution urging the industry to cease talking about its time billings in terms of dollars, but rather translate this into terms of time units.

It was also proposed that the N.A.B. release this network info. The resolution went through. Idea advanced at the time was that the unit arrangement would serve as a basis of comparison with newsprint and magazine advertising.

Elliott Roosevelt Files To Recover $70,000 in Transcontinental Corp.

Wilmington, Del., Feb. 4.

Elliott Roosevelt, son of the President, today filed a claim with the receivers of the Transcontinental Broadcasting System, Inc., a dissolved Delaware corporation, for $70,000 as holder of 4,000 shares of Class A stock of the system. The claim was filed with the Court of Chancery here.

Chancellor W. W. Harrington appointed Daniel F. Wolcott and Harry H. Steham as receivers for the system on Nov. 12, 1940, and on Dec. 16 ordered all creditors and holders of Class A stock to file their claims. The deadline for claims is Feb. 20. Roosevelt's claim was filed through his attorney, Milton Diamond.

KMMJ GOES TO DAILY

Seven of Nebraska's 13 Station's Belong to the Press

Grand Island, Neb., Feb. 4.

Grand Island Independent has bought KMMJ, the 500-watter owned formerly by Don Searle, who is general manager of the Central States (KOIL, KFOR, and KFAB) Broadcasting System. Price not disclosed.

Deal pends approval from the FCC, and if okayed KMMJ will be the seventh outlet of the state's 13 stations to be owned, or at least partially controlled by newspapers.

KMMJ, which is managed by Ted Matthews, was for many years at small Clay Center, Neb., and was moved to Grand Island, Nebraska's third city in population, nearly a year ago.

Always Mail Script Ahead

Milwaukee, Feb. 4.

Johnny Olson, who does a Saturday afternoon show on WTMJ for Eight Bros. Tobacco and Julep cigarets, went to New York last week and, missing connections, failed to get back to the station for his scheduled broadcast. Fortunately, however, he had airmailed his script on ahead, describing the wonders of the big town he had just seen, so Bob Heiss, studio announcer, stepped into the breach and did the show quite as Olson might, telling about the trip he didn't take, with all the gags and songs Olson had framed for his own use.

Dalberg Air Lawyer

Washington, Feb. 4.

Latest recruit to radio's legal fraternity from the ranks of the government is Melvin H. Dalberg, former Federal Communications Commission examiner. Recently with the Federal Power Commission, Dalberg this week opened offices and announced he will enter general administrative law field, specializing in broadcasting matters.

Was head examiner for the FCC for four years until the overhauling of the legal forces in 1938.

Tamara Geva on WINS

Most ambitious dramatic show yet attempted by WINS, New York, will be started this week, with Irving Strouse, former press agent, in charge. Half-hour series, spotted at 4:30 p. m. Sundays, will be tabbed 'Invisible Theatre of the Air.'

Tamara Geva, legit actress and dancer, will be the permanent star. First stanza will be 'The Crystal Ball,' by Robert Green. Second will be 'Hitler Goes to Heaven,' by Myron C. Fagan.

CHATTANOOGA CURBS PIANO

Chattanooga, Feb. 4.

New wrinkle in musical quiz shows has been dug up by WDEF, new Mutual outlet here. Station, with local jewelry store tieup, has man-on-the-street stunt employing sidewalk piano, rolled out front of the store.

Peco Gleason, announcer, asks volunteer what song he would think of if he became romance-minded while strolling with sweetie on moonlight night. Pianist plays 'I Love You Truly' or something appropriate, as tip. Quizee must name song.

Participants get $1 if they answer correctly. Interest-getter is alarm clock that rings sometime during half hour show is on air. Participant on air when clock rings gets $2.50, right or wrong.

Jewelry store offering 17-jewel watch for best name for program.

VOX POPS AND MAMAS FLYING TO MEXICO

'Vox Pop' program for Penn Tobacco will originate from three Latin spots. Party of three Ruthrauff & Ryanites, Parks Johnson, Wallace Butterworth and Nate Tufts and their respective wives, fly to Mexico City this Friday to broadcast from the Foreign Ministry of the Mexican Republic. Soldiers at San Juan in Puerto Rico and then a pickup from Havana will follow on successive weeks. On the return party may do a broadcast from Miami.

Land wires will be used from Mexico, shortwave from the two islands. All in English.

Boake Carter on Piel

Boake Carter will have a couple new sponsors on Mutual in March, Piel Beer and National Refining Co. It will be three days a week for Piel in the east and two days a week for the oil distrib in the middle west.

Sherman K. Ellis is the agency.

QUESTION ON RCA AND CBS HISTORY

Washington, Feb. 4.

Insinuations and disclosures of skullduggery that came out of the Senate Interstate Commerce Committee's disintering of the old RCA consent decree will not have any repercussions as far as NBC is concerned until the Justice Department and the Federal Courts have established that criminal conduct characterized the settlement. Similarly, criticism of the way CBS officers handled that boom-time stock swap with Paramount has not put any black marks against Columbia in the Federal Communications Commission ledger.

Chairman James L. Fly was revealed last week to have told the House Appropriations Committee attention has been paid by the Commish to the mass of testimony taken during last year's hearings on the Thad Brown renomination—which went off into tangents concerning both RCA and CBS. When asked what the Commish was doing about the shenanigans related to the Senate group, Fly told the House committeemen he thinks it would be 'ludicrous' for the FCC to crack down on NBC—which was not directly involved in the Wilmington proceedings of 1932—while the Justice Department sits by doing nothing.

RCA and NBC

If it is proved that anybody connected with RCA engaged in bribery or attempted to fix the Federal Court, the Commish unquestionably would have to look at that matter from the standpoint of whether it affects the fitness of licensees to operate stations. But Fly commented the suspicion of bribery is 'pretty remote in 1941 from the question whether the National Broadcasting Co., a subsidiary, which has largely grown up since that time, is qualified to operate.'

There was no direct mention of CBS or the Paramount transaction when Fly was before the House committee. But Rep. Richard B. Wigglesworth inquired whether 'enrichment of the principal influence in a company, to the tune of a million dollars or more, if established,' would be looked at as possibly disqualifying certain persons from holding licenses. Fly said the Commish would be 'influenced' in reaching decisions if there was evidence of embezzlement.

Arde Bulova Does a McCormick, Swoops Down and Sweeps Out WOV, Installed at Fancy New Site

Watchmaker - broadcaster Arde Bulova is apparently doing a Robert McCormick swoop-sweep at WOV, New York. He is suddenly making himself felt in the management of the station heretofore administered through others. Most famous case of making the fur fly under comparable conditions was when the owner of the Chicago Tribune suddenly discovered his own WGN and didn't particularly like what he discovered.

Bulova is disinclined to reveal his plans or decisions, but meantime the station is undergoing a big jarring out of its rut.

Storm apparently broke late Saturday (1), when Bulova, who has previously handled the station through Harold A. LaFount, general manager in charge of all Bulova stations, suddenly took active personal control. He first hired Alan Courtney, currently doing an early-morning recorded program over WMCA, New York, to become night program manager. As WOV's daytime shows are mostly Italian language, the only real English programming is at night. Therefore, bringing in a night program manager effect superseded Stuart Buchanan, whom Naylor Rogers brought in from the Coast as program director only a couple of weeks ago.

Short Stay

Buchanan, who left a permanent job with Walt Disney to take the Rogers offer, thereupon resigned. He has no immediate plans, but hopes to get a place at some other New York station. Roger Brown, brought from WGN, Chicago, to do a nightly recorded dance music program, is out. So is Roy Maypole, writer-producer, employed a week ago to do a live show with guest names.

Jack Meakin's 12-piece house band, which has been at the station four weeks on a special week-to-week arrangement with the musicians' union, is dropped as of next week-end. Meakin, formerly music director at KPO and KGO, San Francisco, is being let out because his music is 'unsatisfactory,' Bulova explained to the union. Station owner also informed the union he intends to bring in a different name band weekly. However, those at the station said yesterday that the new program policy at this time calls for only recordings after dark, despite the fancy new studios, the expensive new equipment and the new 10,000-watt transmitter.

With the studio in a turmoil yesterday, the officials still in Bulova's employ were obviously reluctant to discuss the situation. Only ones who would talk were those who had been dropped. Others, explaining they knew nothing of future plans for the station, referred all questions to Bulova. And he's reticent.

Welch, McGarrett Swap

Hollywood, Feb. 4.

Bob Welch, now directing the Kate Smith program, will replace George McGarrett as producer for Young & Rubicam on the Eddie Cantor show.

McGarrett returns east to look after the 'Aldrich Family' series.

Sam Fuller is now directing the Kate Smith program.

JACK RUNYON AS BATES V.P.

Jack Runyon, who was formerly in charge of Lord & Thomas' Hollywood office, will join the the Ted Bates agency Feb. 17 as v.p. in charge of radio.

He leaves for the west coast today (Wednesday) to clear up some personal matters, and he will be back in New York Feb. 15.

RUTH RICH LEAVES WOMEN'S RADIO COMM.

Ruth Rich has resigned as executive secretary and only paid employee of the Women's National Radio Committee. This was the original clubwomen's group that interested itself in children's programs. In times past it commanded some attention and staged some luncheons.

National Association of Broadcasters has since recognized more authoritative groups as better qualified to speak for the clubwomen.

George Grant to WBBM

Chicago, Feb. 4.

George Grant, formerly with the Des Moines Register and Tribune, is joining WBBM to head a newly-created sales service department. His job will be to relieve salesmen of all but straight selling details.

Grant comes to work this Monday (10).

Kane Sues Plough For Alleged Lift of Idea; Involves 'Famous Firsts'

Albert E. Kane, author, and conductor of a radio program, filed suit Thursday (30) in the N. Y. federal court against Plough, Inc., seeking damages of $25,000 for alleged infringement.

Plaintiff is the author of 'Famous First Facts' and 'More First Facts,' books which were published in 1933 and 1935. From August, 1938, to July, 1939, he conducted a radio program over WOR entitled 'Famous Firsts.'

It charged that the defendant's radio program for St. Joseph's Aspirin makes an announcement which starts, 'This is a famous first fact in history.' Defendant has refused to desist, plaintiff claims, despite warning of infringement, so, $25,000 damages, an injunction, and accounting of profits are sought.

Hartridge to Far East

Edwin Hartridge, until recently an American radio man in Berlin, leaving this week for the Orient. He sails Friday from San Francisco for Manila and Singapore accompanied by his wife.

Will probably do some NBC work from the Far East.

A BLACK CAT CROSSES THE ROAD:

And How That Fact Might Be Reported By

— RAYMOND GRAM SWING
— WYTHE WILLIAMS
— H. V. KALTENBORN
— ELMER DAVIS
— GABRIEL HEATTER
— JOHANNES STEEL

George Hamilton Combs, Jr., news commentator on WHN, New York, amused himself last week by rendering on the air the simple sentence *'a black cat crossed the road some place in Germany'* in the several different styles of other news commentators. His versions follow:

RAYMOND GRAM SWING

'Good evening—tonight, a cat so dark that it could almost be called black without straining the artistic verities crossed a significant road—crossed it not boldly and overtly, but timidly and cautiously, with a diffidence that might almost be born of fear. Now, the implications of the act of this equivocal cat have not been ignored by the more perceptive observers. They see in it a paradox which is not without analogy in our present struggle. They see the cat as a symbol of totalitarian stealth and they are wondering what lies on the other side of the road. After all, cats are animals and the significance of this should not be lost on any of us.'

WYTHE WILLIAMS

'According to my confidential sources, black cat crossed the road at exactly 7:33 tonight. It was accompanied by three agents of the Gestapo and Herr Hitler's housekeeper and after crossing the road, says my source, the cat went straight to sleep in the second floor bedroom of the red brick house on the southeast corner of the Unter Den Linden. At air time tonight, according to my private information, the cat was still sleeping soundly and Herman Goering made a trip across town in his bright red Benz to bring it a juicy steak. My sources say the field marshal has mistaken the cat for a tiger cub. For next week, be on the lookout for the fate of the cat.'

H. V. KALTENBORN

'Good evening. There is little doubt that a cat crossed the road. That raises an issue of supreme importance. It reminds us to ask, not only for our own enlightment, but for the security of the world—*what* was its motive? Moreover, the question which at once comes to mind is this: What will Russia do? This is the question. If we know the answer to this, we shall put our fears to rest.'

ELMER DAVIS

'Tonight a black cat crossed the road, no doubt because it wanted to get on the other side, and the late dispatches don't say whether or not it is on its way to Siam where it has relatives.'

GABRIEL HEATTER

'And so tonight, a cat called black walked across a street called time. Life writes another headline and to a headline hunter there are headlines even in a cat called Black. And now a word about F-R-I-M-L. Friml, what a bar of music for five cents. Ladies and Gentlemen we all know and love to hear Carrie Jacobs Bond.'

JOHANNES STEEL

'Tonight, a perfectly fantastic cat, animated no doubt by German propaganda, walked right into a group of socially-conscious and leftist dogs and at a late hour tonight it had not been heard from. Whether the cat died a fantastic death, we do not know.'

The White House and WMCA, N. Y.

Appropriations Committee Provides a Postscript to the 'Flim-Flammed Flamm' Rumors

Washington, Feb. 4.

White House interest in the acrimonious relations between Donald Flamm and Edward J. Noble resulting finally in transfer of WMCA for $850,000 was disclosed last week and commented on in Congress. Published testimony received by the House Appropriations Committee at closed-door hearings revealed the allegations of impropriety and pressure on Flamm to sell his outlet at one time had reached the Executive Offices.

While several said they had heard a wide assortment of rumors, several Federal Communications Commission members were shown as having told the House committee they found nothing wrong with the transaction and could throw no light on trade whispers that Thomas J. Corcoran, Steve Early and other prominent Administration figures were anxious to help Noble get the transmitter.

The White House angle came out during protracted questioning conducted by Rep. Richard Wigglesworth. Quizzing Chairman James L. Fly, Commissioner Norman S. Case, and others, Wigglesworth drew a reluctant admission that both Maj. Gen. Edwin M. Watson, the Number One member of the President's secretariat, and Rudolph Forster, executive clerk, did some telephoning.

First trying to avoid replying, Comm. Case said that when he was acting chairman (at the time the WMCA transfer application was pending), Gen. Watson called and said that 'representations had been made that Mr. Flamm had been forced into this thing and would I look into the matter carefully.' Later on Forster phoned to advise him 'that any rumors to the contrary notwithstanding, the White House was not interested in this in any way, shape, or manner whatsoever,' Case elaborated.

WMCA Over-Priced

Feeling that the WMCA sale price might be excessive was reflected by Clifton A. Woodrum, chairman of the appropriations group. When Fly took issue with Woodrum's remarks about the sale of licenses, the Virginia Democrat retorted that regardless of the provisions of law or the FCC attitude licenses are sold 'just the same.' Woodrum brought out that Flamm received $542,000 more than the actual worth of the physical property, commenting that he did not see that the seller had been burned. Questions about reports that Flamm had been offered a substantially fatter sum by another prospective buyer were tossed out during discussion of Flamm's attempt to wiggle out of the Noble contract, but the legislators learned nothing definite. Fly said he had unverified information that somebody else was willing to pay $25,000 more for the plant if Flamm would stay out of the broadcasting business for a certain period, and also testified he heard Flamm was trying to get the job of manager of the station.

Activities of William J. Dempsey and William L. Koplowitz, former heads of the Commish law department, in the WMCA transaction as counsel for Noble were brought up by Wigglesworth, but Chairman Fly maintained they had not done anything unethical or infringed on Commish rules governing practice of attorneys.

Unusual Haste

Discussion of the WMCA case involved coincidental disclosure that Commissioner George Henry Payne spent the better part of a day trying to get his colleagues to reopen the decision approving the sale. Payne related he heard upsetting reports that the application was granted in 'unusual haste' and without ample information, as well as the gossip about Flamm having been high-pressured. When asked if he was satisfied with the final refusal to reconsider, Payne told the legislators 'it was a good explanation given by the members opposed to allowing Flamm to yank back his request for consent to turn over the Knickerbocker stock.

Connection of Thad Brown, former Commissioner whom the Senate failed to confirm for reappointment, with the WMCA matter also came to light in the transcript of committee discussion. Fly testified that before the Noble-Flamm contract was signed Brown 'came to me stating that he represented WMCA and Flamm and that a negotiation was in process; that there had been some suggestion or Flamm had indicated that the purchasers had indicated to him that they felt confident that if Noble applied for the license that he could get it.' This statement by the Commish chairman recalled the to-do before the Senate Interstate Commerce Committee last summer concerning a party thrown by Flamm at which Brown was a guest.

Indirect criticism of the way the FCC handled the transfer application was expressed during debate in the House by Wigglesworth. Remarking it was impossible to check definitely on the many rumors, the Bay Stater pointed to the speed with which the request was pushed through, the political ramifications, the Commission's knowledge of rumors about improprieties, and the telephoning by the White House aides.

FM Home Sets For FCC Staff On Taxpayers

Washington, Feb. 4.

American taxpayers appeared last week in the role of special Santa Clauses for members and key staffers for the Federal Communications Commissions. The regulators and six of their principal departmental heads are enjoying the use of FM sets—equipped with phonograph attachments—bought out of public funds and installed in their homes on 'loan.'

Purchase was made so proper installations would be possible and the regulators would be able to pick up FM broadcasts in their leisure time. As justification for the expenditure of $1,950 for the receivers, Chief Engineer E. K. Jett pointed out the only FM plant now located in Washington is on the air only at night, while atennas with horizontal and vertical polarization could not be installed satisfactorily at the Post Office Department, where the Commish makes its headquarters.

Troy Now Full Time

Troy, N. Y., Feb. 4.

WTRY becomes a full-time station this Monday (10). It will operate at 1,000 watts on 950 k.c.

The station's personnel has been enlarged to 30 persons.

Phone Co. Makes Case for Wires In FM Future

Philadelphia, Feb. 4.

The first public demonstration of 'high-quality' wire line pickup for broadcasting was given last Thursday (30) by engineers of the Bell Telephone Co. at the American Institute of Electrical Engineers holding their convention at Town Hall, here. Purpose of the demonstration was to prove to broadcasters who are set to use frequency modulation that the company could supply wire transmission up to 15,000 cycles—high frequency needed for F-M. The demonstration and a paper explaining it was delivered by R. G. McCurdy, director of transmission and engineering of the Bell Laboratories, New York.

To show the difference between the tonal qualities of reception at various frequencies, wires were plugged in at the Academy of Music, about two miles away, where the Philadelphia Orchestra was holding a rehearsal of its all-Wagnerian program.

First the music was restricted to the frequency range of 5,000 cycles per second—the ordinary transmission frequency. As the frequency was raised, the tone became clearer. At 8,000 cycles, the violins were crisper, the drums had more resonance. With the limit extended to 15,000 cycles—virtually as high as the human ear can hear—there was a considerable further improvement in the reception.

John Christ East

Hollywood, Feb. 4.

John Christ, producer of 'One Man's Family,' has been transferred to New York production staff of J. Walter Thompson agency. Bob Brewster takes the job in addition to his producing of Kraft Music Hall.

Christ has been with the Thompson company for 10 years and also served as Hollywood office manager.

Television's Future Still a Question

Fly Declines to Be Drawn Out By 'House of Representatives' Committee

Washington, Feb. 4.

Renewed hope of unshackled television soon, appeared last week when the Federal Communications Commission scheduled another hearing to decide whether tele operation shall be allowed on a commercial basis. Third inquiry in a little over a year takes place March 20 as result of further pressure for standardization of mechanics of the art.

The forthcoming consideration of television's growth came immediately after it was learned that Chairman James L. Fly, during recent closed-door hearings at the Capitol, declined to give Congress any estimate of the distance to that corner around which regular television service is hiding. Recent consultations with pioneers, visits to the principal New York experimental plants, and further parleys with equipment makers preceded the decision to re-open the question of allowing visual stations to start taking money to defray operating costs.

After conferring Monday (27) with the National Television Standards Committee set up largely by the Radio Manufacturers Association, Fly said: 'I believe that the result of the Committee's work form a basis upon which the Commission can move to the definitive questions of standardization and commercialization.' In the meantime, he hoped that all interested parties will study alternative standards suggested and engage in special field observations so that concrete data can be given at the hearing.

Fly appeared to be much more receptive to suggestions about removing the shackles following the huddle with technical experts than he was in his annual appearance before the House Appropriations Committee. On that occasion, efforts to find out just when the Commish will let television branch out resulted in little more than a 'mass of words that boiled down to some generalities with important reservations. Fly told inquisitive law-makers:

Fly's Statement

'It will be an effort, I think, of all of the industry and of the Commission to adopt a single uniform system just so soon as there is one that offers feasible service to the public and also leaves enough latitude for future development and at the same time will offer a means of feasible operation in the immediate future, then we will have something we can rely upon. Now just when that will happen, I would prefer not to say.'

Forced on the defensive again regarding the sudden suspension of rules permitting limited commercialization, Fly explained once more that the Commish declined to permit video service to be 'nailed down to one exclusive system' and added that as soon as there is 'a uniform system of television which can be received by all the receivers that would be currently on the market' he hopes the experimental tag can be removed.

From $20 a Week to $2,000

The Radio Saga of Martin Block of WNEW'S 'Make Believe Ballroom'

By Jack Banner

(Publicity Director, WNEW, New York)

In strange, bewildering, Ripleysque business—radio—one of the authentic 'amazements' is the career of Martin Block, the guy who built an audience of 2,000,000 regular listeners who tune him in to hear him and phonograph records. Block has 21 different sponsors who spend over $225,000 a year with WNEW, New York, to advertise on 'The Make Believe Ballroom.' And Block, who started at WNEW for $20 a week, now pockets some $100,000 a year in salary and commissions.

Just how Martin Block's 'Make Believe Ballroom' is one of the all-important outlets for ASCAP music. Cut off from network radio dozens of showmen-musicians are more than ever before conscious of what having their phonograph records played on 'The Make Believe Ballroom' means in helping them maintain their artistic individuality before the public.

Martin Block is the guy with the persuasive voice.

Surveys continuously show that 'Make Believe Ballroom' has high listening popularity. A number of Hooper and Crossley surveys have proved that the Ballroom holds from 18.2% to 33.4% of the Metropolitan New York audience. Last year WNEW decided to test the high ratings of the 'Ballroom.' At 7:07 p.m., when the networks were offering Amos 'n' Andy, The Easy Aces and Fred Waring as competition, Block made one announcement, offering five listeners as many invitations to attend the 'Make Believe Ballroom' anniversary party for correctly identifying a series of recordings, for which he withheld the title and the name of the performing band. The mail return was astonishing. Opposite three outstanding network shows, for a negligible prize limited to five people, via one single announcement given without notice, 7,024 letters, special delliveries and telegrams came in.

Amazing Pull

This year—just the other night in fact—for the benefit of a PM reporter, assigned to do a feature, who wanted first hand proof of the pulling power of Block's show, Martin repeated the stunt. This time, however, he made it a bit more difficult for the listeners. The announcement was made near the close of his program—and the master of the turntables gave them only until 11:00 a.m. (the next morning) to get their letters into the studio. This time some 12,000 letters and postcards were received. But Ballroom pulls mail day in and day out. It averages some 14,000 mail pieces a month—an accomplishment very few network stations' programs have equalled.

Sales and Mail

Mail pull is one thing, sales pull is another. The 'Make Believe Ballroom' sells more than $1,000,000 worth of its sponsors' product each year. Some eloquent examples from the files:

Purity Bakeries bought 'Ballroom' time and estimated the maximum increase in sales of its doughnuts would be 180,000 doughnuts a week. In its fourth week of sponsorship Purity Bakeries reported a sales increase of 432,000 doughnuts a week.

Axton Fisher Tobacco Co., for 20 Grand cigarettes, gained a 50% distribution in New York within five weeks of 'Make Believe Ballroom' sponsorship.

One announcement on the 'Ballroom' for a Broadway show, 'Swingin' the Dream,' brought in 1,148 orders for tickets.

Elin, Inc., selling 15 refrigerators a week before it purchased 'Ballroom' time (WNEW was their only advertising medium), reported a 933% increase in business, selling 140 refrigerators a week.

Owen Young's Office Boy

Block's personal background is an intriguing one. He started off in the business world as personal office boy to Owen D. Young, and remained with the magnate for almost three years. Thereafter began a roving career at jobs that never lasted more than three months as clothing salesman, drug store clerk, cloak and suiter, magazine solicitor, etc., etc. Finally, and this was in the early 20's, Block decided he wanted to get into radio as an announcer. The closest he came to it was when he bought a second hand trunk, rigged up a phonograph machine, some records and a loudspeaker and drove up and down Broadway blaring the virtues of the merchandise of various New York City merchants. One Sunday afternoon Block's truck and blaring microphone went slowly by the open doors of a New York City church where Dr. Fosdick was delivering a sermon. Dr. Fosdick saw to it that such sound trucks were ruled off the streets of New York City. That put Martin out of business here, so he headed for California with his rig, stopping off in each city to make some money by signing up local merchants.

In California, Block worked on some 20 stations as announcer-never for more than a few weeks at a time. But there, in 1933, he heard a radio program called 'The World's Largest Make Believe Ballroom.' This was a program of phonograph records and the announcer made a great pretense of having the bandleaders in the studio with him. On stage one, he'd say, he had Paul Whiteman's band playing away, with Vincent Lopez set up waiting to start on stage two. The announcer carried on one-sided conversations with the bandleaders, and in this way carried out the illusion of a 'make believe ballroom.'

Filled In

Almost two years later Martin returned to New York and applied for an announcing job at WNEW. He was signed on as staff announcer at $20 per week. Along came the Hauptman kidnapping trial, which WNEW was covering, and Martin was given an assignment to devise a musical fill-in between bulletins from the courtroom. Block thereupon recalled the California show. There wasn't a single record in WNEW's shelves then (station now has about 20,000 platters) so Block chased over to the Liberty music shop and bought five Clyde McCoy records. WNEW's sales department scoffed at the possibility of interesting clients in a show of phonograph records, and so payed no attention to Martin's pleas that they try and secure him a sponsor. But there was no stopping this fireball. He waited two weeks, then went out and got his own sponsor—a firm that made a reducing pill at $1 a box. However, they had no faith in a record show either, so Martin agreed to pay the station for the first commercial broadcast out of his own pocket. Next morning he got on the air and softly urged upon the ladies of his audience to 'be fair to your husband by taking the reducing pill.' Next morning's mail was 600 letters, each containing a one dollar bill, delivered to WNEW. He's been an incredible success since then. He's very proud of the fact, however, that nowadays his sponsor list has changed sharply from early days. Then, only local merchants bought his show. Of his 23 current clients, 22 are network advertisers.

Block's sixth anniversary party was held Monday (3) at the Hotel Ambassador.

BLOCK'S PARTY

Miller, Dorseys (Both) and Kaye Play for Turnout in N. Y.

Sixth anniversary party of Marti Block's WNEW, New York, Make-Believe Ballroom record show at the Ambassador hotel Monday (3) drew 500-600 well wishers to listen to the music of Glenn Miller, Tommy Dorsey, Jimmy Dorsey and Sammy Kaye, who brought their bands to give demonstration of why they finished high in Block's semi-annual popularity poll. Miller and the two Dorseys finished one-two-three. Kaye was first in the sweet division. Each band was given an inscribed trophy.

First 20 outfits in the poll ran as follows: Miller, T. Dorsey, J. Dorsey, Artie Shaw, Will Bradley, Benny Goodman, S. Kaye, Charlie Barnet, Vaughn Monroe, Gene Krupa, Woody Herman, Kay Kyser, Eddy Duchin, Count Basie, Jimmie Lunceford, Harry James, Guy Lombardo, Duke Ellington, Bobby Byrne, Larry Clinton.

Who is this Man?

{1} He's the leading sports announcer in radio for the second consecutive year (according to the World-Telegram poll of radio editors).

{2} He's by all odds the outstanding football narrator on the air, climaxing the season with his brilliant sportscasting of the Rose Bowl game.

{3} He's Sam Taub's colorful running mate in covering the leading fights heard over the air, always giving a championship performance himself even when no title is involved.

{4} He's the witty, entertaining columnist and story teller as well as ace salesman for Colgate-Palmolive-Peet in the Sports Newsreel of the Air (Sun. 9:45 P.M.—10 P.M.).

{5} His reporting for M-G-M's News of the Day is rapidly making his face as familiar to movie-goers as his voice to radio fans.

ANSWER: Bill Stern

BILL STERN'S rise to the top rank in his field has been meteoric. His style of reporting combines a masterful blend of excitement and accuracy, basic facts and color. But even before his services were sought by sponsors and movies, his sports coverage for the Blue Network of NBC had won him millions of followers. The Blue Network is proud to point to Bill Stern as representative of the high grade of programs and artists it has developed—thereby giving Blue advertisers the benefit of a loyal and continuing audience.

The BLUE NETWORK OF NBC

Sales thru the air with the greatest of ease

NATIONAL BROADCASTING COMPANY
A Radio Corporation of America Service

More Delay on Yankee Shortwave

Will Be Full Year Late in 50,000 Kw. Operation—New Deadline Is July 1

Washington, Feb. 4.

New deadline was set last week for requirement international broadcast stations of this country increase power of 50 kw. or more. Extension of time to next July 1 was granted by the Federal Communications Commission after pleas from 11 stations that time was not available for the installation of new equipment already authorized by the Commish. Single exception, according to the FCC, is WCAB, Philadelphia, licensed to the WCAU Broadcasting Co., which will be deleted upon erection of a new international broadcast station by CBS to supplant WCAU.

Enforcement of the minimum power rule has been postponed from the original date of July 1, 1940 to Jan. 1, 1941, and finally to the first of July this current year. Commish warning has been issued this time, however, that 'no further extension of time is contemplated.' International stations must start operating with a minimum of 50 kw as fast as proper installations are made.

Reason for Commish concern over the problem of increased power for the international stations is the need for American programs—particularly in South America—with which to blanket and offset propaganda broadcasts by powerful German and Italian DX'ers. Despite the several time extensions that have been granted since the rule was formulated, expected that last week's order will stick.

XEB to Become Top Power (150,000 Watts) Station in Mexico City

Mexico City, Feb. 4.

Radio station XEB here, owned and operated by the Buen Tono Cigarette Co., which for long has functioned at 10,000 watts, is arranging to increase its potency to 150,000 watts, which will make it the most powerful air station in this zone. The increased power is expected to start this month.

The station recently sent its chief engineer, John Buchanan Gross, to New York for equipment that will expand its power and scope. XEB is going more after commercial advertising.

LOUIS TILDEN NAMED CHI REP FOR NBC DX

Chicago, Feb. 4.

NBC division in Chicago will have a special office to handle short-wave commercial contracts, with Louis Tilden appointed as midwest rep of the NBC International Short-Wave Division. Lunsford Yandell, NBC short-wave chieftain, was in town last week to set up personnel and the office in the regular NBC space in the Merchandise Mart.

Tilden was formerly with the firm of Averill Tilden Co.

From Chicago to S. A.

Cincinnati, Feb. 4.

Third out-of-town program to be originated by WLWO, Crosley's international station, in a series aimed to solidify business relations with Central and South American countries, will be conducted from the World Trade Conference at Chicago, Feb. 6. A summary of the talk that night by Under Secretary of State Taylor will be translated in Spanish by Jorge Mayoral, WLWO announcer. WLW will pipe a separate 15-minute interview program from the conference that night.

WLWO did a broadcast from Toledo, O., Dec. 30, last, for the city's Chamber of Commerce, and also from the International Exposition in Cleveland, Jan. 11.

KGEI INTO FAIRMONT

San Francisco, Feb. 4.

KGEI, General Electric shortwaver on Treasure Island, won't be in its Fairmount hotel studios until May 1.

Due to use of directional beam KGEI will have an effective signal strength of 500,000 watts according to Buck Harris, station manager.

Alex Garcia Reps CBS

Havana, Feb. 4.

Alex Garcia has been appointed Cuban rep for CBS' new Latin American chain. Garcia is a vet newspaperman on the Havana Post, the only morning daily in English, which heralds itself as being 'older than the republic itself.'

Last year another afternoon tab in English, PM, made its appearance, bankrolled by the Cuban husband of Consuelo Vanderbilt.

VOGUE MAG'S FASHION SPRAY TO B. A.

Schenectady, N. Y., Feb. 4.

Vogue magazine will launch a series of Spanish-language programs for women of fashion, art, theatre, motion pictures, travel and decoration, over WGEO, 1000,000 kw. shortwaver operated by General Electric. Starts Feb. 12. The station is beamed on Buenos Aires, capital of Argentina and largest city in the Southern Hemisphere, at the hour scheduled for the every-other-week broadcasts by Vogue.

Handling program will be Mrs. Alexander C. Forbes and Mrs. Hugh Fennick, associate editors of the magazine. Both women know South America.

Vogue is the second magazine to sponsor a Spanish languager over WGEO. Reader's Digest, which publishes a South American edition, has been presenting a weekly digest of articles.

Time is sponsoring an English language program on KGEI, GE shortwaver at San Francisco. This is aimed at the Orient.

MARS 2D SHOW

Candy Company Likely to Sponsor Dance Orchestra

Chicago, Feb. 4.

Mars Candy will take its second network show on March 2. Has purchased coast-to-coast time on NBC-Red between 5:30-and-6 p.m. CST. That puts the show in the 30-minute slot ahead of the Jack Benny program.

Program and time set through the Grant agency here, and while show is not yet contracted for, it will likely be a big band program, with several of the top orchestras of the country being dickered.

Mars currently has the Lew Valentine 'Dr. I.Q.' show, also through the Grant agency.

Elias Breeskin on XEW

The Aguila Cigarette Co., one of Mexico's leading manufacturers, is going in heavier for radio advertising this year with the engagement of Elias Breeskin, the Russian violinist-orchestra director, for three half-hour weekly concerts over local station XEW.

Aguila joined with the local class cinema, Cine Palacio Chino, and Par to initiate these concerts by having Breeskin direct a Mexican orchestra of 60 at the cinema as a plug for its cigarettes and the debut (29) of 'Northwest Mounted Police.'

Revitalizing CBY, Toronto

Toronto, Feb. 4.

Four sites in the Toronto area are now being surveyed by Canadian Broadcasting Corp. engineers for the erection of a new 1,000-watt station to replace the admittedly obsolete CBY. The new transmitter's facilities will blanket Ontario. Definite decision is expected to be made at the end of this week on where location will be.

Currently, all commercial programs carried by the CBC go out from CBL because of CBY power shortage.

London Calling

London, Jan. 10.

BBC lining up new talk series for the new year destined to wise homelanders to things about Uncle Sam. Early publicity around the session states it will be for 'a clearing up of ideas.' Background will be U. S. history, daily life and problems. Drama dept. of BBC under Val Gielgud is taking on legit personages of note to function on production end. Malcolm Keen lends his experience for a month in teeing off guest producer idea. Keen will use the established BBC Repertory Company.

'Speak of the Devil,' new radio thriller by John Dickson Carr, set to bow as serial entertainment in the new year.

'Transatlantic Rhythm' swap airing between CBS and BBC drawing listener raves here for light and airy fare. Setting of Col. Snoopnagle against England's Oliver Wakefield is being hailed as masterly showmanship. Reception this side was perfect throughout.

Elsie Carlisle set for a new six weeks with her unit, 'Carlisle Express.' Performer was blitzed from airing during first start so took it on the road.

Michael Redgrave finding time in between film chores to do a talk on 'Theatre Interval.'

Tommy Dorsey's orchestra coming in for sudden listener-request spurt on disc sessions. Meeting it, BBC is donating 30-minute periods of trombonist's dansapation.

'Gramaphone Omnibus' has folded due to compere Bryan Michie going on tour with Jack Hylton.

Oliver Wakefield reminiscing of U. S. radio dates during an air interview and the double-acting buildup given him by Rudy Vallee. Speaking of homeland appearances, incoherent comic gave an unusually sincere plug to Henry Hall, onetime BBC staff batoner.

Noel Coward homecoming is indicated by BBC spotting him for a talk on the theatre for late January. Coward's undercover movements in U. S. A. and Australia have been in for a lot of kidding here—some of it raspy.

'Broadway Calling,' Gertie Lawrence show waxed in U. S. for airing to troops locally, comes in for a queer shuffle which sees it going out shortwave from here to entertain U. S. listeners.

Adelphi Theatre, in the Strand, is due for a history treatment (Jan. 14) when first part of its story will be aired. Musicals included are 'Earl and the Girl,' 'Quaker Girl,' 'The Boy,' of rare vintage.

Emlyn Williams getting 35 mins. to himself in which to give his stage career a going-over. Airs excerpts from 'Corn Is Green,' 'Light of Heart' and 'Night Must Fall.'

Nazi static intcrference with BBC home wavelengths has taken a new slant. Now they pick on programs listeners might like to hear; previously it was aimed at propaganda stuff, news, or indiscriminately. The bigger the personality that much more 'warbling' does he draw. Stars can thus check on how they rate with listeners.

Al Durrant's Swing Quintet added to 'Piccadixi' session. Melody outfit accompanies Adelaide Hall, songstress on the new musical.

Madge Elliott and Cyril Richard, Aussie-born legiters, will head a new series tagged 'Over and Up.' Show will dress land of the Southern Cross for home listeners.

Harry Lauder did a guest-shot on 'Startime.' Comedian has been off the air since Spring, playing camp concerts for troops.

Rex Harrison and Diana Wynyard will air scenes from 'No Time for Comedy.' Duo are on the road with the S. N. Behrman play.

Greta Gynt doing a rare radio appearance in air version of 'On Your Toes.' Diana Ward and Ben Lyon will also voice in reprise of the Rodgers-Hart musical.

Columbia Workshop of U. S. donated another of its plays to BBC drama department. Piece is to receive an English setting. Title is 'Mr. Sycamore.'

Morgan and Hadley, banjo team, registering a click on 'Music Hall.'

George Formby coming over the air via excerpt from his pantomime show, 'Dick Whittington.' Since commercial radio was nixed of its Continental outlet by war, Formby has been a very infrequent visitor to the mike.

Jack Payne and his musical aggregation back again to radio. Setup is virtually the same, with Peggy Cochrane doing her solo piano session, and plus a new femme warbler, Ann Shelton.

Alice Delysia still charming them. Two radio dates amply confirmed this. Appearance on 'Music Hall' was a solo for the performer and she took the khaki boys over the same jumps as those spread for War Ones.

Portland, Ore.—Luke Roberts, manager of KOAC, has joined KOIN-KALE as farm director.

Denver.—Getting ready for their increase to 5,000 watts, which boost will take place about Feb. 15, KFEL has added three salesmen—Morey Sharp, Tom Lowndes and Frank Vickery.

Cuba Bans Foreign Programs

Anti-Axis Feeling Behind Gov't Ruling Specifically Against Totalitarians

Havana, Feb. 4.

Anti-axis feeling in Cuba, which resulted in agitation against the German consul's alleged pro-Nazi activities, resulted in a broad ruling by Major Juan Govea, director of Cuban radio, that all foreign-tongue broadcasts are tabu hereafter. Specifically mentioned are German, Chinese, Yiddish and Polish.

Transocean Press' radio hour, with its claimed pro-totalitarian propaganda, is specifically banned. There was a frankly German bankrolled show on the air recently. The other foreign-tongue casts are negligible, there being too much gratitude from refugees towards Cuban hospitality to warrant anything subversive either from a Polish, Yiddish or Chinese source.

WNBC Now on Blue

New Britain, Conn., Feb. 4.

WNBC, New Britain-Hartford, went NBC-Blue basic Feb. 1, upping from supplementary class. Change means Hartford area will be covered basically by all nets, NBC-Red having WTIC and CBS WDRC.

FCC recently granted WNBC day power boost to 5 kw.

CUBAN COSTS FOR TALENT PIFFLING

Havana, Feb. 4.

This town of 35 radio stations for a population of 700,000 is perhaps the lowest-scheduled for commercial time and talent. Musicians get $1 a program. An hour's time ranges from $20 to $50 in cost, depending on the station.

Perhaps the best bet are the 20 commercials a day on the second-grade stations which cost the sponsor $80 for an entire month, spouted seven days a week, 20 times each day. The top stations charge $50 a week for four commercials a day, and they trailerize anything from rum and cigars to how to learn to play the guitar.

Even the girls in the bands on the sidewalk cafes, along the Prado, who get $1 a night, average better than some of the radio instrumentalists.

FRED BATE TO REST AT MEXICAN RESORT

Fred Bate, London representative of NBC, arrived Friday (31) in New York by clipper from Portugal. He was delayed some three weeks in Lisbon. Promptly caught up in the usual whirlwind of interviews and luncheon speeches, including one at the National Press Club in Washington, Bate will have put in nearly a week of arrival ceremonies before getting away to rest.

He departs this weekend to join his wife at Cuernavaca, Mexico, where he will remain for some weeks. A bomb explosion early in December cut Bate on the face and ear, but he is now patched up and okay, but in need of rest.

Jig-Saw Of Four-Nations Near Solution

Washington, Feb. 4.

Roosting-place of 1,300-odd North American stations was thoroughly checked in the last 10 days by technical experts of signatory nations to the North American Regional Broadcasting Agreement, with a number of shifts being made in assignment of Canadian and Cuban transmitters. Details of the settlement were withheld until all of the discussions are finished, with the State Department sitting on the lid and refusing to make known the developments as parleys went on. Unofficial word, however, was that all snarls were straightened out to everybody's eventual satisfaction, with a minimum of inconvenience to the U. S. industry.

Some of the collisions took a lot of negotiating. Regular jigsaw puzzle for the engineers, particularly in view of the directional antenna phenomenon. Installations which concentrate signals on some particular area are not common outside this country, while some of the U. S. plants with complicated arrays inadvertently lay down stronger signals in other countries than was contemplated by the Havana treaty.

In such cases, juggling was inevitable if the necessary protection was to be achieved, but industry people expect the plan when finally made public will show the other nations reclassified their channels or shifted their outlets. Inasmuch as the cost to the U. S. operators with directionals would be so much greater and the technical job of moving the stations involved on to other frequencies here so much more of a headache.

The international jury seemed still hopeful that the pact can be put into effect as scheduled, March 29; although apprehension continued that the rush for crystals may require a short delay in carrying out the reassignments. Since the United States is the only source of crystals, the tardiness of station owners placing orders is a cause of concern. Suggestions that the moving be accomplished in batches do not seem feasible, although in a limited way small blocks of stations—primarily the low-power jobs—in each nation possibly could shift at odd moments. Instead of having every one of the outlets in the four countries switch over at the identical second.

Even if it proves necessary, because of the crystal problem, to postpone the moving date, the four countries are expected to reach some understanding that will impose a time limit. Consultations with the crystal makers are likely, and a specific period probably will be allowed each licensee to get the necessary chunks and make whatever changes are required in his apparatus. Issuance of licenses in accordance with the new classifications could go ahead regardless, making sure the benefits of the pact are not jeopardized by a series of continuances.

CALIFORNIA HERE WE COME

the 4 INK SPOTS

And now the four dukes of the jukes are Hollywood bound to star with Alice Faye, Jack Oakie and Mischa Auer in 20th-Century-Fox's million dollar epic "The Great American Broadcast!"

PERSONAL MANAGEMENT *GALE* INC., 48 WEST 48th ST. N. Y.

FCC Reveals Station Finances

Deficit Operations Noted — Purchase Prices Versus Yearly Profit Cited in Several Cases

Washington, Feb. 4.

More than one-third of the radio stations sold or leased in 1940 were in the red, latest available figures compiled by the Federal Communications Commission show. Record price in 1940 transactions was the $850,000 which Donald Flamm received for WMCA, New York.

The yearly summary in general showed prices bore a closer than usual relationship to the physical worth of the properties, although there still were numerous instances where the seller got a sum which netted a good-sized paper profit. Consideration given for licenses of many stations was not disclosed, notably where unspecified amount of stock was given the seller or the value of the paper was not known.

Although the Commish has been taking closer looks at the cash passing hands, in two outstanding situations the review merely stated the payoff in trite terms of $1 and other good and valuable considerations.' These uninformative remarks related to the reshuffling of WAAB, and WNAC, Boston, WEAK, Providence, and WICC, Bridgeport, in the John Shepard set-up, and of KMA, Shenandoah, Ia., where similar corporate rearrangement occurred.

Second biggest price was put on KGKO, Fort Worth. For $250,000 Amon G. Carter, the politician-publisher, surrendered control to all of the stockholders in KGKO Broadcasting Co. The station lost $48,086 in 1939 and the valuation placed on the paper was only $72,055, according to the Commish summary. The Fort Worth outlet, incidentally, went farthest into the red of any of the losing enterprises changing hands.

WAAB and WMCA

Biggest money-maker involved in an actual technical change of ownership last year was WAAB and the related stations. The Yankee Network plants, which formerly had been controlled by Winter Street Corp. (a Shepard subsid), raked in $164,923 in 1939, the tabulation showed. One of the best earners was Flamm's WMCA, which showed net profit of $93,186 in 12 months ended last Oct. 31. Second came WMC, which made $75,455 in six months, but the statement also revealed that WMPS, involved in the same transaction accompanying mergers of the Memphis Press-Scimitar and Commercial Appeal, had dropped $40,877 the prior year.

Although financed by a swamp of stock, the deal by which L. B. Wilson acquired control of 13.5% of the stock in WCKY, Cincinnati, was one of the high bracket transactions. Involved giving two shares of Standard Oil Co. (of Kentucky) stock, worth $20 to $21, for each of 200 shares in L. B. Wilson, Inc., owner of WCKY. Or about $800,000 for a minority interest in plant which made only $10,561 in 12 months ended Sept. 30, 1939.

WDSU, NEW ORLEANS, IN ON LIBEL SUIT

New Orleans, Feb. 4.

Jared Y. Sanders, Sr., former governor of Louisiana, Wednesday (29) filed suit in civil district court here against James H. Morrison, defeated gubernatorial candidate in the last election, and WDSU, Inc., for $25,000 damages. Sanders alleges that Morrison made certain slanderous, libelous and defamatory remarks in a speech over WDSU on Nov. 12, 1940.

The radio station disseminated the speech entitled, 'Thou Shalt Not Steal,' and 'wilfully, wantonly and maliciously co-operated' with Morrison, it was charged.

The WDSU officials should have known the entire contents of the speech, the petition stated, and should have deleted the libelous statements, but failed to do so.

For damages to his good name and standing in the community Sanders asks $20,000 and for mental anguish and suffering, $5,000.

Doing Something About Conversational Theme

Minneapolis, Feb. 4.

In order to halt constant bleats about temperatures not being authentic, KSTP's newsroom has taken over the task of supplying announcers' hourly readings, with a gadget rigged up in the teletype room that looks like William Saroyan's 'American Destiny' pinball machine in 'The Time of Your Life.'

With clock and flashing light, the gadget informs newsmen of the time to get temperatures from the bureau. Since its installation there hasn't been a squawk about KSTP temps.

WEMP Gets Mentioned

Milwaukee, Feb. 4.

WEMP, which since its affiliation with the NBC Blue network has been unable to buy display advertising space in The Milwaukee Journal, owners of NBC red's WTMJ, finally crashed the display columns on its radio page Friday (31).

Adams Hat Shops bought linage to plug the Joe Louis-Red Burman fight broadcast.

FCC's Travel Bills

Washington, Feb. 4.

Large amount of traveling on 'official business' by Federal Communications Commission members and staffers was brought out last week by the House Appropriations Committee. Bill for transportation and subsistence during the fiscal year ended June 30, 1940 totaled $12,632.

Leading globe-trotter was Commissioner Paul A. Walker. In six vouchers for travel expenses he collected more than $1,380. Runners-up were former Commissioner Thad H. Brown, who drew in excess of $610; former General Counsel William J. Dempsey, over $450; Chairman James L. Fly, over $430; and Commissioner George Henry Payne, over $450.

FCC'S YEARLY CONGRESSIONAL DRUBBING

Washington, Feb. 4.

Congressional critics of the Federal Communications Commission came within nine votes of effecting a slash in the regulators' appropriation for the next fiscal year when the House last week voted $4,259,729, which is exactly the amount requested by President Roosevelt and $1,883,389 more than was available for this year. Of the total $1,920,000 is tagged for national defense activities, particularly more intensive eavesdropping to discover possible subversive or espionage activities.

Usual barrage of rocks was thrown at the Commish during debate, with the perennial finger-pointers adding a new touch to the attack by chiding the regulators for slowness in finishing up the chain-monopoly inquiry and for failing to crack down on both CBS and NBC. Richard Wigglesworth of Massachusetts and John Taber of New York, Republican members of the Appropriations committee which grilled the Commish, were the most denunciatory. They received usual backing up from Lawrence Connery, Massachusetts Democrat.

As the principal critic, Wigglesworth commented sarcastically that 'comment is withheld by the Commish on the issues customarily aired at the budget hearings—license trafficking, monopolistic control, network finances, etc.—because these problems are tied up in the investigation report.' Notwithstanding the declarations of the special committee about monopoly or the evidence submitted at last summer's Thad Brown hearings, the regulators have administered no punishment nor taken remedial steps, Wigglesworth complained.

Failure of Congress to conduct a thorough inquiry into the FCC drew an expression of 'regret' from Connery, who said he had deliberately withheld his customary resolution for a legislative probe hoping that the Appropriations Committee would take the lead. He echoed Wigglesworth's complaints about Commish stalling and eye-closing.

Terming the regulatory body 'the most inefficient of any outfit I have run into in the Government,' Taber tried to cut the fund for regular activities by $138,889, the net increase sought and recommended by the Budget Bureau. After hearing his charge that 'the Commissioners have been putty in the hands of the bureaucrats,' the House rejected the Taber motion by a standing vote of 56 to 65. A moment later when the amendment was pressed again the tally was 68 ayes and 112 nays.

N.A.B. PORTLAND MEET NAMES HARRY SPENCE

Portland, Ore., Feb. 4.

The National Association of Broadcasters held a zone get-together here recently and elected Harry Spence, manager of KXRO, Aberdeen, as director of the 17th district. Spence succeeds Charles Myers of KOIN, Portland. Myers declined to be candidate for re-election.

Over 60 broadcasters from Oregon and Washington were present.

Inside Stuff—Radio

A reverse on the radio legend that the star too often eclipses the product, with result that the sponsor is often obscured, was evidenced to Walter Jacobs who runs the new Lord Tarleton hotel, Miami Beach, from whence Edwin C. Hill has been doing his Amoco broadcasts for several weeks. The Tarleton gets a plug with results that boniface Jacobs has been getting fan mail and, as he hoped, also a number of customers. One booking request floored him, however, by mentioning that the prospect had 'heard Lowell Thomas, was so impressed,' etc. Of course he meant Hill, but the paradox is that the hotel is but indirectly mentioned, whereas the fan mixed up the two news commentators.

The Metropolitan Opera closed its ninth week Monday (3) with a probable loss of approximately $3,500 on estimated take of $99,000 out of possible $134,000. As per usual at the $7 top, the Saturday matinee operas continued to show the way with a gross of $15,500 for 'Pagliacci and Cavalleria Rusticana.'

Despite the NBC broadcasts of Saturday matinees Met continues to sell out for these performances and on the whole they have been the best grossers of the year.

Theodore Granik, whose 'American Forum of the Air' offers debates on current issues Sunday nights over WOR-Mutual from Washington, is now banning applause or other demonstration by members of the studio audience. Now distributes printed slips explaining the rule and the reason for it, besides displaying a huge sign on the platform as a reminder. His decision resulted from listener complaints and the occasional reluctance of scheduled speakers to risk being jeered via a network spread.

In a somewhat unique attempt to capitalize on the popularity of a chain's program, WMCA, N. Y., has billed Nita Carol, singer, for the 'Intermission Period for the Met opera broadcasts.' Singer appears Saturdays from 3:15-3:30 p.m. presumably after the first act intermission of the Met.

The schedule has not worked out so well, as frequently the operas run short of the time and sometimes over.

Elizabeth Wysor was trade-figured a sure winner of a Metropolitan opera contract well before she appeared Jan. 12 on the Sherwin-Williams paint opera 'auditions' over NBC. She had been heard privately by the Met board before the radio broadcast, which was by way of letting Sherwin-Williams share the publicity. Her contralto is generally regarded one of the best new voices of its kind heard in years.

REYNOLDS OFF FCC ROLL

Assistant Secretary Since 1930 Joins WKWK, Wheeling, W. Va.

Washington, Feb. 4.

Long service of John B. Reynolds, assistant secretary of the Federal Communications Commission, was terminated Saturday (1).

After nearly 11 years with the Government agency, Reynolds resigned to become part owner and general manager of a new Wheeling, W. Va., broadcast station—WKWK—now under construction. The FCC assistant secretary was appointed assistant secretary of the old Federal Radio Commission in 1930, continuing in the same capacity when the FCC was created.

WLW's Farm Course

Cincinnati, Feb. 4.

Specialists from state agricultural colleges in Ohio, Indiana, West Virginia and Kentucky are participating in each of the 20 'short course of the air' series for farmers and their families being carried by WLW during February. They are being included in the station's Everybody's Farm Hour programs, heard in mid-day Monday thrpugh Saturday, beginning today (3).

Ed Mason, farm program director for the Crosley 50,000 watt station, arranged the spiral series for farmers unable to attend the winter short courses given by agricultural colleges.

Fred Borton, WQAM, Miami, station owner, going to New Orleans and Mexico in February. Will motor part of the way.

Introduce UP Personages On Special Ballyhoo Discs for Air Clients

Series of 15-minute transcriptions, containing stories and experiences of its correspondents, is being provided by United Press for its radio clients. First platter contains a word-picture of the fall of Tobruk and an interview with Harry Flory, UP's European news manager recently home on leave from London. Opposite side carries a description by Edward Beattie, Jr., of his experiences covering the war in Ethiopia, Poland, Finland, Czechoslovakia, France and Britain. Discs provide place for local station tie-in announcements.

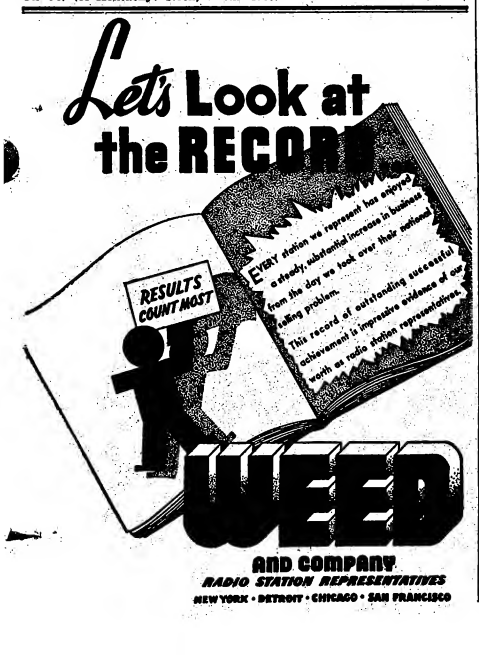
Rush Hughes, currently announcing the New York edition of the Tums 'Pot o' Gold' series, will introduce each chapter. Walt Rundle, of the UP promotion department, is writing and producing them.

Gordon V. P. at WNOE

New Orleans, Feb. 4.

James E. Gordon, formerly of the sales staff of WNOE here, was appointed vice-president and general manager of the station by Senator James A. Noe, president. Gordon succeeds Ray Hufft, who resigned to go into the army.

Hubert Grant remains program director, with Benet Cain as assistant manager and Jack Bottger, Jon Duffee, Wally Dunlap and Walter Brodtman as announcers.



'THE NEWS IN REVIEW'
With Fred Briggs, Vern Wilson, Bill Livesay, Len Curley, Steve Bryher
60 Mins.—Local
Sustaining
Daily, 2 p.m.
KYA, San Francisco

This station has a lawful in undertaking to fill an ASCAP-blitzed concert sesh with 60 minutes of news, six days a week. Produced by Fred Briggs, it provides a workout for the entire mike staff, a different voice being used for each section of program.

Instead of the conventional fanfare, this one opens with an overture, fading into 'Birdseye View of the News' running about seven minutes. Nearly a minute of non-ASCAP music, spirited stuff of the type associated with kid serials, breaks the show for the next voice, retailing 'Inside News of Foreign Capitals.' First half-hour winds up with a third man summarizing 'What's Doing in Washington.' Second half is divided between local news, women's items and sports, closing with a weather report.

It's definitely an effort to escape formula and as presented makes a very listenable show for anyone who has an hour to devote to a single program. Music throughout is good, largely transcriptions. *Wern.*

WHEELING
A Fort Industry Market

Figure It Out!

If you were to slip into the parlors, boudoirs and kitchens of 523,310 homes in Eastern Ohio, Western Pennsylvania, and Northern West Virginia, the Thriving Steel and Coal Belt of the Nation, and deliver a forceful sales message on your product do you realize that at 15 minutes per stop it would take you 45 years, working 8 hours a day, 7 days a week, to complete the job? At the minimum Wagner Law wage of 30c per hour the cost would be $39,248.10!

Compare this cost and exertion to the simplicity of the possibility of reaching these very same homes through WWVA at the basic daytime, 15-minute rate of $42.00. And in addition you must include the force of 1½ million more homes in WWVA's secondary area!

That's Sales Economy, PLUS!

—C. B. S.—

BLAIR Represents Us

FORT INDUSTRY STATION

WWVA

'FRIENDSHIP BRIDGE'
The Circle' with Grace George, Dudley Digges, Cecil Humphreys, Romney Brent, Gina Malo, Clarence Derwent
30 Mins.
Thursday, 4 p.m.
WMCA, New York

As another move in cementing Anglo-American relations, 'Friendship Bridge' is aired Thursday afternoons, with English actors currently in New York doing adaptations of successful English plays. Shows are broadcast locally by WMCA, New York, and short-waved to England by WRUL, Boston. Opus Thursday (30) afternoon was Somerset Maugham's 'The Circle.' Glittering cast included Grace George and Cecil Humphreys, who appeared in the play's revival a couple of seasons ago on Broadway, with such well knowns as Dudley Digges, Romney Brent, Gina Malo (Mrs. Brent) and Clarence Derwent also on the airer. Series is presented by the British-American Ambulance Corps.

Although the theme of 'The Circle' is ever-new, the play's style is terribly old chapeau. What's more, the adaptation in this case was woefully unable to extract suitable radio material from the slender chit-chat of Maugham's once-provocative treatise on infidelity-in-cycles. Thus, the nearest thing to a crisis in the show as broadcast was the brief split between the aging wife and her long-standing lover. That left the stage play's climax, the same situation repeating itself so inexorably in the children's case, on the cutting room floor. What was left was light, sometimes deft and sometimes merely frivolous, generally garrulous conversation.

Miss George, of course, is a captivating actress and, though clearly not at her best via the air, particularly expert at this kind of role. Digges was persuasive as the gruff lover and Humphreys was acceptable as the betrayed husband. Brent, Miss Malo and Derwent had little to do as the second-edition triangle. Piece was over-produced and uncertain in pacing. Name cast gave the show marquee strength, but it was unrealized in performance. *Hobe.*

'CAFE DES EXILES'
With Ernst Obach, Mark Lubbock Orchestra
40 Mins.
Saturday, 9:40 p.m.
BBC, London

Built around the rendezvous idea format here is pleasing and musically attractive. In line with London's now burrowing proclivities it's an underground, where expatriates gather to wine, dine and delight in continental atmosphere, gaiety tinged with nostalgia.

Carrying entertainment load is Ernst Obach, Czech baritone of fine voice and personality, secure in his selling of homeland melodies. Singer's very much at home in the proceedings, functioning as chief greeter, performer and audience go-between in giving clarity to the set-up. There's a Greek boss to the place, presumably sung in to round out the Allies idea, but at this airing characterization seemed superfluous and clashing with that of Obach.

Script is sprinkled with the due variety of atmosphere givers, although their dialog is ultra stagey and clutters up show as a whole. Much more could be left to the music, which accomplishes its purpose admirably through tunes of Smetana, Handel, Strauss, etc.

Mark H. Lubbock batons theatre orchestra with customary elegance.

'ELSIE CARLISLE EXPRESS'
With Bobby Comber, Vera Lennox, Charles Heslop, Charlie Clapham, Billy Ternent Orch.
40 Mins.
Sunday, 9:40 p.m.
BBC, London

Blitzed off the air at its previous scheduling, Elsie Carlisle and her supporting merry-makers at last broke the radio tape. Suffered from slow-moving script—needs to be jacked plenty before registering as radio. There's some lengthy spiel sessions of weighty humor from a hard-working crew, but making little or no impression for laughs.

Elsie Carlisle is personally pleasing with her effortless melodying, registering soundly with a medley of Irving Berlin tunes. She was carrying all the vocals here outside of a couple of ragged ensemble numbers. As showcasing for her, 'Express' is anything but dressy.

'BUD BARTON'
With Dick Holland, Fern Parsons, Bill Bouchey, Ian Keith, Katharyn Card, Betty Jefferies, Jackie Harrison, Bob Jellison
15 Mins.
Sustaining
Daily, 5:30 p.m.
WJZ-NBC, New York

After some months in the 5:30 p.m. spot on the blue (WJZ) network, 'Bud Barton' is being moved forward to 5:15 p.m., starting Monday (10). Shift should have been made long ago, as this juve thriller isn't equal to 'Jack Armstrong,' the teen-age adventure series on the red (WEAF) in the 5:30 p.m. position. Both shows originate in Chicago, 'Barton' being a sustainer and 'Armstrong' sponsored by General Foods (Wheaties).

At the new time, 'Barton' may have a chance to get a better audience. However, the show still needs lots of showmanship improvement before it belongs in the juvenile big league. As heard last Wednesday (29), it lacked the continuously-exploding action that kids yen.

Characters are reasonably well outlined, but there are entirely too many of them. Stanza caught, for instance, included 11 characters either present or mentioned familiarly. That not only confuses the listener, but it also has a tendency to diffuse the story-line and retard the action. Only excitement on this chapter was a wrassle between cantankerous Mr. Stark and Col. Frank Welch—and that was confined to a couple of lines of dialog. If they want the moppets to go after the show they should have virtually torn down the studio with uproarious sound effects.

Piece was nassably played. Harlan Ware is the author, Frank Papp directs. Organ is used for musical bridges. *Hobe.*

'WAYNE, WOMEN, and SONG'
With Naunton Wayne, Magda Kun, Inga Andersen, Jack and Daphne Barker, Billy Ternent Orchestra
40 Mins.
Thursday, 9:35 p.m.
BBC, London

In aiming for cabaret-like effect show comes over as okay for floor-show, but short as radio. Hit hardest by the setup is Inga Andersen, Canadian girl who sees 'sophisticated lady of song' as billing for her nitery dates, but toughy characterization she uses on chatter here belies the eclat, seeming more Saks 34th than Saks Fifth Avenue.

Magda Kun puts over effectively the cajolery of Continental melodying. Austrian songstress is quite at home with intimacy of radio. Jack and Daphne Barker are a w.k. cabaret team whose vocal banter might be cut to aid radio pace. Numbers ribbing smart-set are jake when visio, but tend to drag through the mike.

As compere of the session Naunton Wayne handles his chore with customary skill. Performer has been long active with his droll comment, sure to clinch with listeners as result of picture work carrying his talent beyond West End trade.

Henry Sherek's hand in the show discloses producer's experience with stage entertainment, which, needing no more than adapting to the new medium. Billy Ternent's music has all anybody wants.

'ROUND THE HUB'
With Jay Wesley, George Givot
15 Mins.—Local
Friday, 3:45 p.m.
WEEI, Boston

George Givot, 'Greek Ambassador of Good Will,' gave interviewer Jay Wesley the fastest 15 minutes possible with ad libbed gags flying faster than bombs in a blitzkrieg. Deviating from the usual formula for interviews, biographical facts were woven in deftly and humorously.

Wesley differs from average spieler in that he gives the other fellow a chance to talk without interruption. He breaks in when conversation lags and requires wit, which wasn't necessary this time. Surprisingly, he rarely laughs at his own gags, and was also a perfect stooge in situations for Givot. Wesley speaks informally and extremely well without worrying about academic matters on diction, pronunciation, enunciation, etc., thus avoiding that which makes the average interviewer stilted.

Givot showed his versatility with Greek dialect, that of polished Englishman, plus Harvardian. Without a prepared script, Givot started off the fun by dialecting a commercial plug that lay on the desk before him, which was awaiting the announcer on the following program. *Paul.*

My Sincere Appreciation to the Radio Editors
For Voting My Program
FIRST FOR CHILDREN
IN THE ANNUAL RADIO POLLS
— Conducted by —
Radio Daily Thank you! Motion Picture Daily Thank you! World-Telegram Thank you!
IREENE WICKER
THE SINGING STORY LADY
NBC Blue — 5:15-5:30, Monday thru Friday

DINAH SHORE
EDDIE CANTOR PROGRAM, NBC RED NETWORK
WEDNESDAYS, 9 P.M. EST.
BLUEBIRD VICTOR RECORDS

WORLD-TELEGRAM
(SCRIPPS-HOWARD NATIONAL RADIO POLL)

The Winners

Best Comedian, Favorite Program, Jack Benny.
Quiz Program, Information Please.
News Commentator, Raymond Gram Swing.
Light Orchestra, Guy Lombardo's.
Popular Girl Vocalist, Kate Smith.
Popular Male Vocalist, Bing Crosby.
Sport Announcer, Bill Stern.
Studio Announcer, Don Wilson.
Concert Vocalist, Lily Pons.
Symphonic Conductor, Arturo Toscanini.
Best Dramatic Program, Radio Theatre.
Best Quarter Hour, Fred Waring.
Children's Program, Ireene Wicker.
New Star, Dinah Shore.

Outstanding Single Broadcast of the Year,
NBC Eyewitness account of Graf Spee scuttling.

Girl Popular Singers

The vote on girl popular singers:

1. Kate Smith	165
2. Dinah Shore	150
3. Connie Boswell	139
4. Ginnie Simms	93
5. Frances Langford	62
6. Bonnie Baker	51
7. Yvette	39
8. Mary Martin	32
9. Judy Garland	31
10. Bea Wain	29
11. Virginia Verrill	26
12. Martha Tilton	14

I AM DEEPLY GRATEFUL TO THE RADIO EDITORS OF AMERICA.
DINAH SHORE
Personal Representative—
GENERAL AMUSEMENT CORP. (FRANK COOPER)
NEW YORK • CHICAGO • HOLLYWOOD • LONDON
Direction — NATIONAL BROADCASTING COMPANY

Follow-Up Comment

'ASCAP on Parade' in its second installment last Saturday (1), shaped up as a well-balanced showmanly propaganda job although monitoring might have been better. Etherized from WMCA's studio in New York, and fed to WHN, WOV and WNEW (and released on platter to 117 other indie stations having ASCAP licenses) this was Tin Pan Alley merchandising and counter-propaganda.

Nostalgia was the obvious idea. Purveyed by names such as Al Jolson, Cole Porter, Ethel Merman, Johnny Mercer, Harry Armstrong, Hildegarde, Benny Fields, Russell Bennett's 26-piece band, Robert Shaw's choir of 18, skillfully scripted by Oscar Hammerstein II, deftly produced by Billy Rose and smartly paced by Deems Taylor, the 8-9 p.m. period ran a fast course.

Benny Fields' vocalizing assignment should get him radio attention anew. The original 'crooner' (but long ahead of his time) Fields' manner of purveying 'Only Forever' and 'Fools Rush In' was in the best Bing Crosby tradition of ultra song salesmanship.

When it's all over, listeners should remember Hammerstein's nifty scripting, Rose's direction and the individual artistic contributions that tied it all in so well. Jolson was humorously vitriolic with his satire on 'Jeannie with the Light Brown Mustache' and gave the brushoff to 'I'll Get By As Long As I Have Stephen Foster.' He then claimed and demonstrated that 'California Here I Come,' 'You Made Me Love You,' 'Swanee' and 'April Showers' are 'inspired' songs.

Cole Porter in a brief speechlet heralded Ethel Merman who whammed 'em with 'Kick Out of You' (the first Porter song she ever sang), 'Begin the Beguine' (with choir), 'Just One of Those Things' and 'Night and Day,' with which the 26-piece Russell Bennett orchestra and Robert Shaw's choir of 18 mixed voices did tricks.

In backing up the 'Panama Hattie' chanteuse, 'Let's Be Buddies' was her finale in the cavalcade, and while it all added up to a generous hunk of Cole Porter, it was all very palatable, especially considering the contrast to the other stuff heard on the air of late.

Hildegarde's 'Last Time I Saw Paris' (by Oscar Hammerstein and Jerome Kern) was a click all by itself, in line with the intro that this was one of the tunes as 1940 ended before the radio-music breach eventuated. [The introductory emphasized that ASCAP fought that jazz and jive, ballads and hymns could, like the air, belong to you,' as part of the propaganda.]

Harry Armstrong led his 'Sweet Adeline' in a gang song. Then radio announcer Bob Carter gave out with some Ripleys, putting stress on 'believe it or not' that 'Happy Birthday to You,' 'End of a Perfect Day,' 'Caprice Viennois,' 'There'll Always Be an England' and 'Stars and Stripes Forever' are radio-tabu.

A 'Stop! You Can't Play That on the Air,' thus nostalgically, patrioticallly and sentimentally took the ASCAP cause directly to the masses.

Johnny Mercer who calls himself 'the poor man's Cole Porter' did some crossfire with commentator Deems Taylor and his own medley; then followed another satirical dramalet stressing Mr. Network's allegedly biased attempts to 'mediate' the issues.

For the finale, two new Irving Berlin songs, 'A Little Old Church in England' and 'When That Man Is Dead and Gone' were introduced as fresh-from-the-piano product. Berlin's lyrical reference to Satan as 'that man with the small mustache' made this a significant song despite its swingeroo rhythm. (Following day the press was full of lyric reprints.) Berlin stated it could mean Stalin, as well as Hitler, since both have mustaches, although it's intended for all 'Satanic dictators.' (The London News Chronicle on Monday sent by radio a photo sheet music of Berlin's song, first time that a music score was thus transmitted to England.)

Abel.

'Columbia Workshop' uncorked a bubbly container of spoofology Sunday (2) night with 'Help Me, Hannah,' a comedy about a deliriously intense southern belle. Written by Charles Monroe, scripter for the Lux Theatre and other commercial shows, piece took the Thomas Nelson Page brand of Virginia chivalry for a good-natured ride. Was compactly written, starting briskly and steadily rising to a punch finish. Helen Claire, apparently destined to play every Daown Saouth accent femme as a result of her click in 'Kiss the Boys Goodbye,' whammed the meaty part of the heroine, while Ed Latimer stood out as a thwarted highway superintendent. Betty Garde was properly dry as a New England dame. Chester Stratton and Carl Eastman were expertly malleable as passive suitors and Eustice Wyatt was a puttering old professor. Betsy Tuthill directed it deftly. True to radio production practice, the sound effects man went overboard on the auto noises.

Wythe Williams, who regularly includes on his Mutual newscasts scalp-tingling information about Germany's resources and plans, fired a shot at E. D. Ward, Nazi ace short-wave miker for America. Williams said that Ward (once connected with U. S. show business) took cognizance, in a broadcast of Williams' charges the Nazi propaganda machine planted 'fake' stories in European capitals. Ward denied this, continued Williams, and insisted German propaganda was conducted on a 'high' plane. Williams tartly suggested that Ward read Hitler's 'Mein Kampf,' to learn what are the real Nazi conception and use of propaganda.

Commenting on announcement that Ward's views are not necessarily 'those of this station,' Williams asked sarcastically: 'What would happen if his views were not those of his masters?'

Niles Trammell's 25-minute address on 'Radio at National Defense' delivered at 16th annual Patriotic Women's Conference in Hotel Willard, Washington, strongly emphasized the contributions advertisers have made to U. S. radio. He declared: 'The support that American business has given broadcasting has provided the American people with the finest program anywhere in the world.' NBC president, speaking in a firm, even tone, said this has 'enabled us to improve our public service broadcasts.' He spoke of 'the continuous struggle for the advertising dollar and for the ear of the listening public,' and of the situation's beneficial effect.

'Echoes of History,' an NBC appeasement gesture to the femme pressure groups, remains an imaginatively conceived and ingeniously scripted dramatization of events to the U. S. past. Last Wednesday's edition, dealing with the arrival of the Hungarian patriot Louis Kossuth in New York during the 1850's, was pointedly timely and built to a moving dramatic climax. Peter Cappell's reading of the leading part was also vibrant. However, there was a confusing bit of scripting at the close and the interjection of an editorial comment (in the midst of the dramatization) by Mrs. Harold V. Milligan, of the General Federated Women's Clubs, was poisonous showmanship. Doubtless it's essential for diplomatic reasons to have some femme executive on the program. But if the clubwomen sincerely want to improve radio they might help by leaving the microphone to professionals. 'Echoes' is scripted by Max Ehrlich and produced by Frank Dodge.

Bob Hope's very bright line of chatter and gags is not helped materially for the listener at home by the almost continuous studio applause. Becomes annoying when, as last week, virtually every crack draws a full or a half round, and Hope waits for it or encourages it. Outbursts become slower-tapped and ear disturbers. Hollywood audiences are push-overs and comedians invariably overplay to them, leaving dialers at times to wonder what is taking place in the studio. Hope, Basil Rathbone, Jerry Colonna (aided by topnotch sound effects) extracted a lot of guffaws and some shrieks with that standard laugh-getter, a spooky hotel sequence.

Bess Johnson, who reads the commercial blurbs and uses her right name as the heroine of 'Hilltop House,' is up to here in heart-searing melodrama these days. It seems Billie, one of the girls she befriended, busted out of the reformatory and one of the guards was killed in the process. Miss Johnson just can't believe Billie is guilty, but wise old Judge Lennox has advised her not to get involved up in the mess or the local citizenry may hold it against her. Yarn is apparently what a sizable segment of the housefrau-moppet audience craves, as the characters move or less mirror those groups. Blurbs dwell on the 'Palmolive facial' theme, working in the idea that there are two women in every women—the radiant (Palmolive) one or the forlorn (non-Palmolive) one. Question is then posed, 'Which 'you' will your husband see tonight?'

'Jack Armstrong,' General Mills juve thriller serial out of Chicago on NBC red network, recreated with remarkable fidelity the sounds of a sailing ship as the highlight of last Thursday (30) afternoon's chapter. Anyone familiar with sailboats must have found the sound effects irresistibly authentic. As the vessel supposedly was jibed in a vain attempt to avoid running aground and was subsequently pulled free on its own anchor line, the mast groaned and creaked, ropes squealed through the blocks, the waves pounded and the water gurgled. There was also combustible excitement in the accelerating tempo of the action. No landlubber could have written or directed the show. Intermingle commercials for Wheaties stressed the 'breakfast of champions' angle. Also had a sly bite of evasion in the claim that 'Wheaties are mixed up in the mess, more nourishment than many breakfast foods.' Addition of that single letter 'm' apparently keeps the Federal Trade Commission at bay.

Herbert Marshall did a one-timer on the Jack Benny show Sunday (2) night, subbing as ringmaster during the comedian's absence in New York. As usual on the series, the scripting carefully built the laughs around the standard conceptions of the cast, making shrewd use of Marshall's screen personality. Edition was up to standard for the series, but the cackling from the studio audience sounded infantile.

Rex Benware, reading a news session Saturday (1) morning on WQXR, New York, went through one of those tangle-tongue ordeals that every announcer-reporter must endure occasionally. In the 10-minute stanza, he made nine perceptible fluffs, on at least two of which he had to make a complete stop and then start over again. It could hardly have bothered the average listener, but Benware, normally a precise enunciator, must have been frantic.

Richard Haydn, English stage comedian, did his Prof. Carp characterization on the Edgar Bergen show Sunday (2) night, the third of five scheduled guest shots on the series. Using his familiar asthmatic delivery and super-serious manner, he ludicrously discoursed about the condition of his mustache and then worked into a preposterous attempt at singing. Also guesting on the stanza were Hopalong Cassidy (Bill Boyd) and his sagebrush film partner Andy Clyde. They cantered through a session of tall-story badinage with Charlie McCarthy. About what would be expected.

Fred Bate upon arrival in New York participated in a two-way broadcast with John McVane and women assistants of NBC's London staff. Introduced by John W. Vandercook as 'The only American radio reporter who has the distinction of being injured by a Nazi bomb,' Bate requested his London co-workers to 'Give my best to Ed Murrow of Columbia and tell him I hope to do more trips with him.' To which, one of the women replied that Murrow had left word to 'Give you his best.'

Bate asked if NBC had a new London office—old one was bombed—and received an affirmative reply. He 'would get the details later.'

'Song Spinners,' mixed vocal group on WOR-Mutual, tossed off an ingratiating 15 minutes of light harmonizing and banter Sunday (2) night. Spotted after Dorothy Thompson and the regular 9 p.m. news session and immediately ahead of Johannes Steel, it provided a bright interlude in the array of grim discussion. Youngsters warble agreeably and their informal between-numbers patter sounds almost ad-lib.

'DEAR MOM'
John Walsh, Dolph Nelson, Marvin Mueller
Drama
20 Mins.
WRIGLEY'S GUM
Sunday, 6:55 p. m.
WABC-CBS, New York
(*Weisser-Meyerhoff*)

Way this resurrected serial of the last World War has been spotted on the network schedule indicates that P. K. Wrigley must have been somewhat leery of 'Dear Mom's' pulling power. Rather than pitch it on the hour (7 p.m.) against Jack Benny, he took five minutes away from his own Gene Autry show, with the obvious hope that once the Autry fans got listening to 'Dear Mom' they'd hang on to the end. Since Autry's faithfuls loom hugely in the juvenile ranks, this will most likely remain pretty much of a hope. The kids will still make a fast switch for the station carrying Benny, and that move won't meet with the opposition of the adults in the family.

The dusting off of 'Dear Mom' is predicated on the assumption that families with youth who have been inducted into the selective military service will be deeply interested in humorous anecdotes connected with life about a training camp. The assumption may be a sound one, but the first installment of 'Dear Mom' didn't sound as though it will garner the deep interest. It not only had a musty and dated air about it, but the characters were about as modern as a projected stereopticon slide. What may have made them chuckle in 1918 could give 'em the yawns in 1941.

Bobby Brown, of WBBM, Chicago, producer and co-writer with Ray Wilson of this series, introduced the initial chapter. He explained that the series sought to sketch in humorous form the transition of American youth from civilian to army life. The opening episode imparted a tinge of patriotic service in that it made a point of assuring mothers that their sons would find things quite comfortable about the training camp. Otherwise it impressed as quite alien and unentertaining.

Odec.

'SUNDAY NIGHT RADIO THEATRE'
With Polly Wiggins, Albert Burke
30 Mins.
Sustaining
Sunday, 10:30 p.m.
WOR-Mutual, New York

Mutual displays courage (or maybe nerve) to spot this new dramatic series at 10:30 Sunday night opposite the Columbia Workshop and the NBC red's (WEAF) 'Deadline Dramas.' That deliberately invites comparisons, which this 'Sunday Night Radio Theatre' originating at WKBW, Buffalo, is pitifully unable to stand.

Apparently this attempt is in line with Mutual's recent decision to use more dramatic shows produced by its affiliated stations. Undoubtedly the series will improve, but on the basis of the initial program it doesn't belong in the same league with Sunday night network dramatic shows. Opening 30-tempo was 'Audition,' authored and directed by Herbert Rice, program director of WKBW.

Polly Wiggins and Albert Burke played the leads. Cal Janis composed the musical bridges.

Hobe.

'MARCH THROUGH LIFE'
With John B. Kennedy, Dwight Weist, John Holbrook, Katherine Holbrook, Charles Paul
15 Mins.—Local
FEDERAL SAVINGS & LOAN ASSNS.
Monday, 10:30 p.m.
WABC, New York
(*Heffelfinger*)

There are possibilities in the formula of this 'March Through Life' series Monday nights locally over WABC, New York. Initial show last week (27) failed to click, however, principally due to faulty scripting. Idea is to base each edition on some successful American. First stanza took Eddie Rickenbacker, former automobile racer, World War ace and now president of Eastern Airlines. There's ample drama in the subject's life, but the writing was so grandiloquent that it sounded a bit ridiculous.

Opening with John B. Kennedy's narration-blurb, the show dramatized an incident in Rickenbacker's boyhood, when he walked home 12 miles through the rain from the factory to save 5c for his mother. After an organ bridge, Kennedy then orated something about 'the child is father to the man,' and proceeded with his over-eulogy. Other dramatized incidents included the difficult-to-dramatize Indianapolis auto race (did they have public-address systems before the last war?) and an air battle in France in which the ace brought his wrecked plane back to his home field. Latter was especially bad writing, containing a bit in which the flyer re-enacted events in his past during a tail spin.

Besides doing the narration in his customary emphatic style, Kennedy was credited with collaborating on the script with Brice Disque, Jr. Dwight Weist was announcer and played the hero both as a child and a man. Others in the cast were John and Katherine Holbrook. George Allen directed, assisted by Gordon Graham. Charles Paul arranged and played the organ backgrounds.

Federal Savings & Loan Associations, the sponsors, used two major plugs, dwelling on the idea of its 'double saving' with higher earnings.' Also listed all the organization's branch offices in the New York area.

Hobe.

'CANADIAN NEWS LETTER'
With Gerry Wilmot
15 mins.
Monday, 9:45 p.m.
BBC, London

Prepared in collaboration with Canadian Press and CBC, and aimed at Maple Leafers serving with the forces this side, breezy spieling of Wilmot has just the right touch. Announcer is over here with CBC radio unit and is building himself a nice audience (wartime relaxation of BBC allows staff airers to attach their names to specific sessions, publicity previously denied them).

Considerable editing seems to have gone into the news matter to make it free of starch; this particularly noticeable when set alongside airing of local news. As it comes over, stuff is both informative and sans dreary lag. Spotting of interest items around various Canadian towns is good example of holding the ear.

San Francisco—Vic Paulsen, formerly of WJBS, has joined the announcing staff of KFRC.

MARTIN BLOCK
ME TOO
SHEP FIELDS

KSCJ SIOUX CITY IOWA
The JOURNAL
5000 WATTS
The ONLY Radio Transmitter of this or greater power within 75 miles of Sioux City

'THE O'NEILLS'
By JANE WEST
NOW RADIO'S MOST POPULAR FAMILY BRINGS YOU MORE
LAUGHTER TEARS AND HEART-THROBS
Presented by Ivory Soap - 99 44/100% pure
LISTEN IN.. TWICE DAILY
NBC Red Network, 12:15 to 12:30 P.M., EST
WABC—5:15-5:30—CBS
COAST TO COAST
Dir. COMPTON ADVERTISING AGENCY
MGT. ED WOLF—RKO BLDG., NEW YORK CITY

JACK HARRIS
'World in Review'
15 Mins.—Local
BRISTOL-MYERS
Daily, 10 p.m.
WSM, Nashville

Gab is not a mere recitation of INS news bulletins, but is an interpretative newscast with Jack Harris supplying the background and outlining the significance of current events. But this doesn't gum up the news, rather seems to enhance it.

Harris, who holds a master's degree in political science and history from Vanderbilt University, is qualified to explain the background of the news. Voice, too, is well suited, giving impression of authority. One good practice is qualifying stories by emphasizing source, often as much as saying this is probably not true, for source has been untrustworthy in past. This sets well with audience.

Sponsor keeps advertising to a minimum, although it's nearly impossible to smoothly blend laxative copy with world news.

WCCO
50,000 WATTS
MINNEAPOLIS-ST. PAUL
CBS
The around-the-clock favorite of Twin City listeners
Ask any Radio Sales office for more information about WCCO, one of the sixteen CBS 50,000 watt stations.

'THEATRE OF FREEDOM'
With Rupert Lucas, Phillip Holmes, Susan Goulding, John Holden, Jane Mallett, Jack Arthur Orchestra
60 Mins.
Sustaining
Sunday, 9:30 p.m.
CBL, Toronto

Although names have been promised for this series and are still listed in caps, the premiere program of Canadian Broadcasting Corp. salute to freedom was unable to present stellar rank talent. Sir Cedric Hardwicke disappointed. And that will probably happen plenty during the series. Because when they are asked to donate their services, and make an inconvenient journey to boot, they put the date subordinate to anything more important (i.e. anything with cash attached).

Norman Corwin's 'Seems Radio Is Here to Stay' was the opening program and Earl McGill of Columbia's New York office came up to direct it. Originally written as a dramatized sales promotion brochure for the American radio industry and not esteemed as one of the author's best efforts, the script was an odd choice to launch a Canadian salute to liberty and whatnot.

Series will enlist the donated services of such Britishers and Anglophiles as Sir Cedric Hardwicke, Raymond Massey, Paul Muni, Walter Huston, Herbert Marshall, Douglas Fairbanks, Philip Merivale, Orson Welles, Charles Laughton, Anna Neagle. They will journey to Toronto, Montreal or Vancouver as the case may be to undertake the leading roles.

'Seems Radio Is Here to Stay' was a fast-paced exposition of radio possibilities and current achievements, swiftly illustrated by script-writer conferences, the sound-effects achieved by radio engineers, etc. Thesis of the Corwin radio play is the means whereby Beethoven's Fifth Symphony and 'Hamlet' may be carried to Walt Whitman's 'So Many Ears Attending You Tonight.'

Next week will see Helen Mencken appearing here in 'Saint Joan,' this is the first time that Bernard Shaw has ever allowed a play of his to be broadcast. The editing will be done by Merrill Denison.

Opening broadcast in the series was 'literary' but pungent. Plenty of harpoon-tossing into the totalitarian theory of so-called racial superiority. Quiz session througout of Phillip Holmes and commentator Campbell McInnes aptly brought out, and concisely, the force of radio's potentialities.

This is Arthur's Beethoven's Fifth and the bedroom scene in 'Hamlet' with Rupert Lucas playing the honors as the melancholy Dane; Susan Goulding as the queen, and John Holden as Polonius.

Lengthy cast was expertly chosen and directed by McGill. Premise was 'the air we listen to must be as free as the air we breathe.' Piece finished on a great and stirring patriotic finale with Elgar's 'Pomp and Circumstance' and his 'Land of Hope and Glory.' Music, however, could have been better dispersed throughout instead of coming in almost totally at the finish. *McStay.*

'NO POLITICS'
Current Events Quiz
30 Mins.
Sustaining
Saturday, 1:30 p.m.
WJSV-CBS, Washington

Cross-section of Congressional brains was presented to the nation last week by CBS in a novel adaptation of the question-and-answer program featuring four members of the House of Representatives. Program—which is skedded for every Saturday at 1:30 p.m.—made its debut from the Willard hotel where four legislators were quizzed by Ernest K. Lindley, Washington columnist and head of Newsweek's Capitol staff.

Lawmakers muffed five out of 12 questions on current events, history, literature, geography, people in the news, quotations, etc. Broadcast, entitled 'No Politics,' does not concern itself with legislative questions, campaign expenditures, public grants-in-aid, or other subjects closely connected with Congress.

Most embarrassing to the two Republican and two Democratic members who participated was the all-'round failure to identify three individuals who once held an important U. S. legislative office. Congressmen were mystified when asked what job was held in common by James K. Polk, John W. Davis and Joseph Varnum and were considerably red-faced when told that all three men once served as Speaker of the House.

Representatives Clarence J. Brown (R., Ohio), Robert Ramspeck (D., Ga.), August H. Andresen (R., Minn.) and John M. Coffee (D., Wash.) were stumped by the question 'Who wrote Anthony Adverse?' and the Congressional quartet also failed to identify two out of three 'famous lovers of history.'

Program follows the regular Congressional procedure, with the master of ceremonies acting as 'speaker' and outlining the order of the 'business of the day.' Congressional participants are 'recognized' as the 'gentleman from ——,' while the announcer acts as 'clerk of the House.' Failure to answer correctly nets $5 for the sender of the question.

'DEANNA'
(Deanna Durbin Biography)
With Celia Lipton, Sydney Keith, Joan Young
40 mins.
Thursday, 4:20 p.m.
BBC, London

Deanna Durbin was not the first young lady to be biographied over BBC but she was just about the first to draw both intelligent scripting and production. How much of a hand Universal had in this is conjectureable. Some official glad-eye must have been given to proceedings if judged by data and music made available.

Harry Towers' script had pleasing pace and makeup, nicely mixing dialog with sound-track melody sequences and narrator breaks. Charles Maxwell handled both latter and production reins on the 40-min. spread given to the up-coming of la Durbin in pictures. Study of singing star's jaunt to big time and fame tied in entertainingly care and pattern followed by Universal and Pasternak in the buildup, a factor probably new to listeners. It alone would clinch session as worthwhile.

Voicing of Celia Lipton in the Durbin dialog achieved remarkable likeness, particularly evident in peep-preeming of 'Spring Parade,' where panel-men did a smooth job in mixing melody end with Miss Lipton's takeover. Girl has an attractive personality, at its best in these filmite airings of which she has done quite a good deal in the juve section.

'TO YOU SWEETHEART'
Radio Romeo
35 mins.
Thursday, 7:40 p.m.
BBC, London

'Romeo' articulates for romantic soldiers. Loaded with sugar and memories of two hearts entwined, he does well by his emoting until reaching some particularly tender moment in recollection when he goes veritably hoarse with passion. It's where session is likely to draw a laugh.

Discs are used to supply atmosphere or to ease home some specially sweet passage. They borrow Bing Crosby.

BBC had a similar session on the air with a Juliet putting through a weekly phone call to her boy friend. Series then benefitted considerably by ease with which chosen femme handled the emoting chore.

'CANDID MR. X'
Film Commentator
15 Mins.—Local
Sustaining
Sunday, 3:30 p.m.
WGRC, Louisville-New Albany

Announcer's opening spiel on this film reviewing stanza perked the interest. Gist of his remarks included the promise 'this reviewer says his way to see the pictures, and accepts no passes. He is not employed by any theatre or film producer, and he is not sponsored.' For this reason, he is free to express his own opinion, with no strings tied to his comments—he calls 'em as he sees 'em.'

After this build-up all the listeners heard was a resume of the pictures showing on downtown screens, with an outline of the story and comments on the cast. Nothing more exciting than that, except a reference to one 'B' pic as 'trash,' 'miss it if you can.' Very little professional comments on photography, production, direction, etc. In fact, the whole stanza was handled in a sing-song style, obviously the voice was following script, with little change of pitch or inflection. *Hold.*

GRADY COLE SUNDAY FARM CLUB
Two Hours
Sustaining
Sundays, 7-9 a.m.
WBT, Charlotte

This early Sunday morning extravaganza is a big chunk of radio program to expect at this hour of a Sabbath morning. Practically all of WBT's top talent participates. Makes a usually dull period lively.

Grady Cole emcees the Sunday version as he does the weekly Farm Club. Show caught included songstress Jane Bartlett, organist Clarence Etters, the Texas Rangers, Oklahoma Sweethearts, and an 11-year-old singing lad from a nearby town. All gave out on the type of music most appreciated, and requested, by the Bible Belters. In fact, the two-hour show is packed with what Cole's followers demand. Strictly corn.

Sandwiched in between yodeling and string music were farm and 4-H club news, stock, cotton market, weather, and general sod business reports, road conditions, world news, county farm agent's reports. Cole is in his natural medium as head man, tossing off slow-motion witticisms and back-road philosophies that listeners chuckle over for days following across community cracker barrels. *Just.*

'BROADWAY CALLING'
With Gertrude Lawrence, Richard Haydn, Harry Richman, Fred Waring Glee Singers, Allan Ross Orch
Transcription
30 mins.
Friday, 5 p.m.
BBC, London

Mebbe we're getting blase; it's doubtful if showmen or listeners over here were sent all a-sparkle as result of this transcription made by, and imported from Broadway.

Gertrude Lawrence's routining of a spreadover gag has been in use here some time. So had the gag itself, around 'the morning after.' You substitute kippers for grapenuts, three hikers for commercial travelers and the beds belong to farmer's daughters. And has Miss Lawrence no new songs?

'Mr. Carp' monolog by Richard Haydn would rate as listenable. But Jack Warner and Cyril Fletcher, top radio comics this side, have been doing the same stuff over the air here for months now, right down to the adenoids. To do Haydn justice, however, 'Mr. Carp' is a characterization he's been doing for some years, both in London and on Broadway.

Waring's Glee Singers were nice but on this platter nothing standout. Single choral item left impression it had been pushed in; unfortunate because chorus vocaling is made and thought much of here. Harry Richman, despite what seemed a tough cold, offered 'We're On Our Way.' It would be taken up if this was a soldier's war. Right now it's all done in the air and that's where Britain's heart is. Don't they read on Broadway?

YVONNE ARNAUD
5 Mins.
Sunday, 8:15 p.m.
BBC, London

Guesting on 'Hi Gang' show, actress uncovered a sprightly routine geared for socko laughs. Her Frenchie flavoring of rib against Americans being nice men, but poor lovers, must have tickled many an ear while putting show's principals, Ben Lyon and Vic Oliver, into 'rehearsal' of the art. Both scripter and Miss Arnaud rate credit for the deft handling.

A pianist of repute, actress closed with a Chopin piece of brilliant finegering.

'Hi Gang' show as a whole supports its Number One spot on BBC airings. Now in sixth or seventh month session has sloughed off early pains and travels now as a class production.

WFLA
THE TAMPA TRIBUNE STATION
Now Operates FULL TIME
on.. 940 kilocycles
WITH
NBC RED NETWORK PROGRAMS
RADIO STATION WFLA TAMPA, FLA
National Representatives—John Blair Co.
Southeast—Harry Cummings, Jacksonville, Fla.

National Spot Accounts Currently Active

(According to Report from VARIETY'S 'Radio Market Cities')

ACCOUNT	AGENCY	TIME PURCHASES
American National Bank	Raymond Keane	¼ Hours
Anchor Pain Expeller	H. W. Kastor	5-Mins.
Armour & Co.	Lord & Thomas	½ Hours
ASCAP	Blackstone Adv.	Full-Hours
Barbasol	Erwin, Wasey	½ Hours
Bayuk Cigars	Ivey & Ellington	Announcements
Blackstone Products	Raymond Spector	¼ Hour News
Blackstone Products	Raymond Spector	¼ Hours
Calif. Fruit Growers Exchange	Lord & Thomas	Time Signals
Campbell Cereal (Malto-Meal)	H. W. Kastor	Spots
Canada Dry Ginger Ale (Spur)	J. M. Mathes	¼ Hours
Carnation Co.	Erwin, Wasey	¼ Hours
Carter Products	Street & Finney	Announcements
Chelsea Cigarettes	Warwick & Legler	Participations
Consolidated Cig.	Erwin, Wasey	¼ Hour News
Conti Products	Bermingham, Castleman & Pierce	Announcements
Drake Bakeries	Young & Rubicam	Announcements
Folger Coffee	Raymond R. Morgan	¼ Hours
Foster-Milburn (Doan's Pills)	Street & Finney	Announcements
Friday Magazine	H. C. Morris	Spots
Gordon Baking	Barton E. Stebbins	5-Mins.
Guaranty Union Life Ins.	Stodel Adv.	¼ Hours
Healthaids	Ruthrauff & Ryan	¼ Hours
Hecker Products	Maxon, Inc.	Announcements
International Harvester	Aubrey, Moore & Wallace	Announcements, Participations
International Harvester	Aubrey, Moore & Wallace	Announcements
Jolly Time Popcorn	Buchanan Thomas	Announcements
Kellogg Co.	Kenyon & Eckhardt	Station Breaks, Spots
Lehn & Fink	Wm. Esty	Weather Reports, Announcements
Lever Bros. (Silver Dust)	BBD&O	Time Signals
Lever Bros.	Young & Rubicam	Announcements
P. Lorillard (Union Leader & Beechnut tobacco)	Lennen & Mitchell	¼ Hour News
Lydia Pinkham	Erwin, Wasey	5-Mins.
Macfadden Publications	Erwin, Wasey	¼ Hours
Maryland Pharmacal	Joseph Katz	Announcements
My-T-Fine Dessert	BBD&O	Announcements
Noxzema Chemical	Ruthrauff & Ryan	½ Hours
Omar Mills	Hays MacFarland	Announcements
Pierce's Medic.	H. W. Kastor	Announcements
Quaker Oats	Ruthrauff & Ryan	¼ Hours
Reid, Murdoch	Rogers & Smith	Announcements
Richman Bros.	McCann-Erickson	¼ Hour News
Savarin Coffee	Gussow-Kohn	Announcements
R. B. Semler	Erwin, Wasey	¼ Hours
Vapex	Small & Seiffer	Spots
Vick Chemical	Morse International	Announcements
Ward Baking	Sherman K. Ellis	Time Signals
Wesson Oil	Fitzgerald Adv.	Participations
White Labs. (Chooz)	Wm. Esty	Announcements
Willard Tablet Co.	First United Broadcasters	5-Mins.
Williamson Candy Co.	Henri, Hurst & McDonald	½ Hours.
Wm. H. Wise (World's Greatest Books)	Northwest Radio	5-Mins.
W. A. Sheaffer Pen Co.	Russel M. Seeds	Station Breaks

DEPARTMENT STORES BUYING RADIO TIME LAST WEEK

STORE	CITY	TIME PURCHASES
Richbooks Dept. Store	Sah Antonio	Announcements
Marshall Field & Co.	Chicago	Announcements
R. H. Macy & Co.	New York City	5-Mins.

ALL CHI UNITS RIDING ANCHOR

Chicago, Feb. 4.

With the between-season lull still at the helm here, biz generally was becalmed during the past week. Local units, the only category to feel any breezes at all, didn't get far enough to cause more than a ripple.

WOR: Evans Fur Co., two 15-minute periods each Sunday, through Critchfield agency; Sunfilled Orange Juice, two station break announcements daily, through Newby, Paron & Fliterafi; National Refining Co., one daily one-minute announcement, through Sherman E. Ellis.

WBBM: Marshall Field & Co., seven time signal announcements weekly, through Charles Daniel Frey; Beatrice Creameries, three announcements weekly, through Lord & Thomas; Churchill Bros. Fur Storage Co., Sunday 15-minute period, through George Hartman agency.

WIND: Schwimmer & Scott agency, six night-time hours weekly, Monday through Friday; General Furniture Co., 30 minutes daily, Monday through Friday, through Illinois agency; Coca-Cola Co., 30 announcements weekly, through William Wisdom agency; Conti Products, 24 announcements weekly, through Bermingham, Castleman & Pierce.

Feb. 1 Compared to Jan. 25

Network Units	Local Units	National Spot Units	Total Units
9,915	6,287	11,260	27,462
9,930	6,250	11,265	27,445
—0.2%	+0.6%	*	*

(Included: WBBM, WENR, WGN, WIND, WJJD, WLS, WMAQ)

* No change.

Reader's Digest, an Inveterate Non-Advertiser, Buys Blurbs on KFI

Los Angeles, Feb. 4.

Gradually the home transmitters are hauling up to safer ground, with the margins lenghening away from the scarlet drip. Total showed better than 300 units on the up-side and only lagger was national spots. Influx of new contracts augurs for strong pickups on all fronts. Sales heads say the lag is purely seasonal and reflects no especial significance one way or the other.

Reader's Digest, which accepts no advertising—and indulges in very little of the same except of the direct mail variety—gave the nod to radio with a contract calling for 26 announcements on KFI.

KHJ: Homemakers Club, 65 half-hour periods, through Glasser-Gailey; Hebrew Evangelization Society, 52 half-hour periods, through Tom Westwood; Payroll Guarantee Ass'n, 52 quarter-hour periods, through Cinema Adv.; William Wise Co., six five-minute programs, through Northwest Adv.; Longines-Wittnauer Watch Co., 3,650 announcements, through Arthur Rosenberg; O'Keefe & Merritt (stoves and refrigerators), 366 announcements, through Richard Atchison; Rockwood & Co., 40 participations in Norma Young's 'Happy Homes.'

KNX: Red Heart Dog Food, 78 participations in Fletcher Wiley combination, through Henri, Hurst & McDonald; Downtown Dollar Day, 14 time signals and six participations in Wiley combo, through Hillman-Shane; Fox-West Coast theatres, 52 announcements, through Western Adv.; Compton's Encyclopedias, 12 participations in Wiley combo, through Sidney Garfinkel.

KFI: Pathfinder Petroleum, 13 quarter-hour broadcasts of 'The World's a Stage'; Central Chevrolet, 49 announcements, through Stodel Adv.; Beckman Fur, 42 announcements, through Glasser-Gailey; Reader's Digest Ass'n, 26 announcements, through Batten, Barton, Durstine & Osborn; Sweetheart Soap (renewal), 39 quarter-hour newscasts, through Franklin Bruck; Foreman & Clark, 96 quarter-hour newscasts, through Milton Weinberg.

KECA: Todd's Clothes, 39 quarter-hour newscasts, through N. J. Newman; Baker Shoes, 26 announcements, through Sidney Garfinkel.

Feb. 1 Compared to Jan. 25

Network Units	Local Units	National Spot Units	Total Units
13,127	8,872	1,394	23,393
12,882	8,716	1,471	23,069
+1.9%	+1.8%	—5.2%	+1.4%

(Included: KECA, KFI, KFWB, KHJ, KNX)

CRITCHFIELD INHERITS AIR-USING FEED ACCT.

Chicago, Feb. 4.

Critchfield agency here has taken over the Murphy Feed account, formerly with the Wade agency.

Murphy Feeds have been using ether space for several years, and indications are that under the Critchfield handling will increase purchases on network and farm stations considerably.

Plough Extends List

Plough, Inc., has expanded its spot announcement list for Penetro and St. Joseph's aspirin from 35 to 47 stations. The added outlets are located in the Carolinas, Virginia, Alabama, Tennessee, Texas, Louisiana, Missouri and Indiana.

Lake-Spiro-Shurman is the agency.

Publicity on Offside Advertising

Washington, Feb. 4.

Procedure followed by Federal Trade Commission in preventing misleading advertising was rapped by the attorney general's committee on administrative procedure recently. Members of the F. T. C. try to pay personal attention to altogether too many matters, according to committee report.

Urging greater delegation of duties, the report sent to the President said the job of initiating proceedings should be assigned to the head of the radio-periodicals division, while complaints ought not be made known—except where some unusual circumstance arises, such as need for protecting public health—until the victim has had time to digest and answer the accusations. The stipulation method followed by the F. T. C. in advertising cases was commended but the special committee felt there is much room for improvement in order to avoid possible injustice and speed-up operations.

Bad Spotting

William Esty agency ordered KMOX, St. Louis, last week to find a new spot for its announcement on Chooz when it was discovered that the plug on the acid indigestion remedy immediately followed a program dealing with good cooking and meal planning.

The program was the station's own 'Magic Kitchen.'

COLONIAL WEB MEN PLOT A YEAR AHEAD

Boston, Feb. 4.

Some 40 representatives of the Colonial Network's 19 New England stations met here in a round table discussion. 'Planning today for next year's results was the keynote of this merchandising-promotion meeting,' was the statement given by Linus Travers, Colonial's vice-president of sales and production.

Present at the meeting were: Quincy L. Brackett, WSPR, Springfield; Ivan Newman and Gerald J. Morey, WNLC, New London; S. R. Elman, WATR, Waterbury; Robert Donahue and Al Moffat, WLLH, Lowell - Lawrence; John Libby, WCOU, Lewiston-Augusta; James L. Spates, WHAI, Greenfield; Glover Delaney, WTHT, Hartford; Jack Atwood, WRDO, Augusta; James Milne, WELI, New Haven; Earle G. Clement, WLNH, Laconia; Malcolm Parker, WEAN, Providence; James J. Gavigan, WHAI, Greenfield; Thompson E. Guernsey, WLBZ, Bangor; Philip Weiss, WSYB, Rutland; William Warner, WAAB, Boston; George Steffy, William Eynon, Robert Bartley, Gerald Harrison and Linus Travers from the Colonial Network.

WEEI's Carpet Show

Boston, Feb. 4.

Priscilla Fortescue, Boston, commentator, will be radio Clara Dudley in new series, 'New England Home,' starting Feb. 9 on CBS New England network keyed by WEEI.

Three-a-week matinee schedule's under sponsorship of Alexander Smith & Sons Carpet Co., Yonkers, N. Y., interior decorating consultants of which write under Clara Dudley monicker. Account's handled by Anderson, Davis & Platte.

KSTP's Danish Daily Tie-Up

Minneapolis, Feb. 4.

An unusual 13-week KSTP contract will aid a Minneapolis Danish newspaper, Det Danske Ugeblat, in plugging its advertisers. Show is a musical game, called 'Songo,' with cards for participation of listeners available only at the places that advertise in the foreign language newspaper.

Program, aired each Thursday noon, will consist of blind tunes, with listeners given a chance to guess the titles and win weekly prizes.

NEW CARD FOR NBC BLUE 97

NBC has put out a new rate card for the blue network which shows an increase of 29 stations. Card lists 97 regular blue stations subject to special blue discounts, 55 additional outlets available to blue advertisers by special arrangements, making it a total of 152 stations available for national coverage.

The regular blue station list became 98 Friday (31) with the announcement that WORD, Spartanburg, S. C., becomes part of the southeastern group March 29.

SNIFFLE BIZ GOOD, VICK ADDS $30,000

Vick Chemical has increased its spot expenditures for the current season by $30,000 as a result mostly of the bull market that cold remedies have had this winter. The company may extend its campaign into the summer in many of its markets because of the success that its latest product, Vick's Inhaler, has been meeting.

Affected by the extra appropriations are about 20 markets.

PETER FOX BIZ PUSH-UP

Big User of Radio Time Shows Comfy Margin for Year

Chicago, Feb. 4.

Peter Fox Brewing Co., wholesale user of radio time in this territory, showed a 51% increase in volume sales for the six month period ending Dec. 31, 1940, as compared to the similar period in 1939. In 1940 the closing six months showed a sales total of $1,907,752, while the year previous had been only $1,264,298.

Beer outfit has been slugging it out on radio in these parts through the Schwimmer & Scott agency.

NAT'L SPOT PILOTS DETROIT UNITS—UP 4%

Detroit, Feb. 4.

Conditions still are spotty among the Detroit stations, with those making gains offset by those losing ground. National spot took the big push upward last week recording close to four per cent while the other categories, which the week before had seen an upward push, lost slightly.

Prospects still are good here for the year with the figures emerging from the seasonal slump better than in previous years in a good position to make this one big. Sales staffs still are lining up the accounts locally, but there is some fumbling around for starts.

WXYZ: Quaker Oats, 15 minutes, five weekly, 13 weeks; Crowley-Milner Department Store, five announcements weekly, 13 weeks, Aircasters, Inc., Detroit; Swift & Co., 15 minutes, three times weekly, 13 weeks; Dr. Pierce Medicine, five announcements weekly, 13 weeks; Sears, Roebuck, 10 minutes, six times weekly, six weeks; Michigan Highway Department, 15 minutes, weekly, 13 weeks.

Feb. 1 Compared with Jan. 25

Network Units	Local Units	National Spot Units	Total Units
9,395	11,834	4,335	25,564
9,434	11,850	4,172	25,456
—0.4%	—0.1%	+3.9%	+0.4%

Stations Included: CKLW, WJBK, WJR, WXBC, WWJ, WXYZ)

Parents' Magazine Scripts

San Antonio, Feb. 4.

'Kindergarden for Parents' is the title of a new series of programs to be aired here by William (Buster) Bryan through KTSA.

Scripts compiled by Parents Magazine.

Milwaukee in Dialect

Milwaukee, Feb. 4.

Sunday is the big day of the week for foreign language programs on Milwaukee radio stations, and the sample schedule herewith tells its own story:

9:15 *a. m.—Musical Sunshine (German), WEMP.*
10:00 *a. m.—Jewish Hour, WEMP.*
10:00 *a. m.—Bavarian Hour, WISN.*
11:30 *a. m.—German Hour, WISN.*
12:00 *m.—Czecho-Slovak Hour, WEMP.*
12:30 *p. m.—Bohemian Airs, WEMP.*
1:00 *p. m.—Musical Sunshine (German), WEMP.*
1:45 *p. m.—Polish Merry Makers, WISN.*
8:00 *p. m.—Polish Hour, WEMP.*

Other broadcasts, in English or dialect, slanted to nationality groups, are heard from time to time, bespeaking the cosmopolitan nature of the community.

2% CASH DISCOUNT OPTIONAL

Sanka Coffee Renews Full-Hour Symphony on WQXR; N. Y. Idles

Gotham continued to slumber during the past week. Two categories remained unchanged while local units sank deeper into the red.

WHN is currently distributing a sales brochure on their 'Kid Wizards' sustainer. Brainy moppets are introduced individually in the text, as is quiz-master Louis Wolfe, a teacher in the New York City schools. A description of the program, mail response and press quotes are also included. Recipients are invited to try their gray matter on 12 questions the Kids answered correctly.

WHN: The Dixie Hotel, New York, through Buchanan & Co., Inc., series of announcements; The Morris Plan Industrial Bank of N. Y., through Gotham Advertising Agency, renewal, daily station-break announcements; 10-week contract; Filmart Theatre, through Klinger Advertising Corp., station-break announcements; Conti Products Corp., through Bermingham, Castleman & Pierce, renewal, daily station-break and participating announcements; 52-week contract.

WINS: Strickler's Inc., through Golde Advertising Co., 264 one-minute announcements over period of 13 weeks; Radio Time Sales Co., direct, three 1-hour broadcasts weekly, 13 weeks; Glad Tidings Tabernacle, direct one hour weekly, 52-week contract.

WMCA: Paramount Pictures, through Buchanan & Co., four announcements; Music Box-Lyceum Theatres, through Kayton-Spiero, five announcements; H. Fox & Co. (U-Bet Chocolate Syrup), through Arthur Rosenburg & Co., announcements, 13-week contract; Savari Coffee, through Gussow-Kahn & Co., announcements, 13-week contract; Elks Rendezvous Restaurant, direct, two half-hour programs weekly featuring remote orchestra; Hotel St. George, Brooklyn, through E. T. Howard Co., Inc., renewal for 10 broadcasts, participation in 'Rise and Whine,' National Schools of Los Los Angeles, through Huber-Hoge & Sons, renewal, 13 quarter-hour programs weekly and 6 five-minute programs weekly; 52-week contract; Battle Creek Natural Products Corp., through Metropolitan Advertising Co., three programs weekly, 52-week contract; My - T - Fine Desserts, through BDD&O, 13 time announcements, 13-week contract.

WNEW: Brunswick Laundry, through A. Lewis King Co., five minutes on 'Start the Day Right,' 13 weeks; Junior Americans of the United States, through Arthur Rosenberg Advertising, weekly quarter-hour quiz program, 13-week contract; So-Lo Works, Inc., through Harry M. Miller, Inc., one-minute announcements, one week; Paramount Pictures Corp., through Buchanan & Co., announcements for one week; H. Fox (U-Bet chocolate syrup), through Arthur Rosenberg Advertising, five announcements weekly; Morris Plan Industrial Bank of N. Y., through Gotham Advertising Agency, three announcements weekly, 13-week contract; Wilson & Co. (Ideal Dog Food), through United States Advertising Corp., 'Make Believe Ballroom,' quarter-hour three times weekly, 13-week contract; Solo Products Corp., through S. R. Leon Agency, 'Make Believe Ballroom,' quarter-hour three times weekly, 13-week contract; Penick & Ford, Ltd. (My-T-Fine), through BBD&O, one-minute announcements, 14-week contract; Walton Pen Co., through United Advertising Co., 10 minutes on 'Music Hall,' Tues. through Sat., one week.

WOR: Drake Bakeries, through Young & Rubicam, one-minute announcements twice daily, Mon. through Sat., 17-week contract; Standard Brands (Chase & Sanborn Coffee), through J. Walter Thompson, one-minute announcements, three times daily, Mon. through Friday, eight-week contract and 35-word station breaks, three times weekly, eight weeks; Procter & Gamble, through Compton Advertising, seven station breaks weekly, 52-week contract; Megowen-Educator Food Co. (Crax), through Badger & Browning, participation in 'Dear Imogene,' weekly quarter-hour, 23-week contract; Wene Chick Farms, through Shaffer-Brennan-Margulis Advertising, 'Farmer's Digest,' three times weekly for one week; North American Accident Insurance Co., through Franklin Bruck, U.P. news, twice weekly, 13-week contract; Look Magazine, through Raymond Spector, renewal, Transradio news, quarter hour, three times weekly, 52-week contract; Adler Shoes for Men, through Consolidated Advertising, one-minute announcements, three times weekly; Paramount Pictures Corp., through Buchanan & Co., five announcements for 'Virginia'; Beaumont Labs., extension of contract and increased announcements; W. A. Sheaffer Pen Co., through Russel M. Seeds, 35-word station breaks, three times weekly, 13-week contract.

WQXR: General Foods Corp. (Sanka Coffee), through Young & Rubicam, renewal, one hour weekly, 'Symphony Hall,' 13-week contract; Treat Co., Inc. (potato chips), through Arthur Rosenberg Co., Inc., nine station breaks weekly, 13-week contract.

Feb. 1 Compared to Jan. 25			
Network Units	Local Units	National Spot Units	Total Units
165	10,427	8,797	19,389
165	10,576	8,804	19,545
*..	—1.4%	*..	—0.8%

*No change.
(Included: WHN, WMCA, WNEW, WQXR)

BEECHNUT SPOTS ON KLZ; DENVER RALLIES

Denver, Feb. 4.

KFEL signed 468 quarter-hours; KOA, 51 of the same, while KFEL received an extension on two half-hours a week for an indefinite period.

KLZ: Procter & Gamble, through Compton Adv., four cut-in announcements; Republic Drug Co., through Raymond Keane, three announcements; Kurland Motors, 10 spots; Beech-Nut Packing Co., through Newell-Emmett, 50 spots; Dave Cook Sporting Goods Co., through Max Goldberg, six quarter-hour newscasts weekly, one year; Kortz-Lee Jewelry Co., through Ted Levyy agency, three quarter-hours weekly one year; Standard Motor Co., through Max Goldberg, 26 spots.

KOA: Ralston Purina Co., through Gardner Adv., three quarter-hours weekly, 'Checkerboard Time,' 13 weeks; Manhattan Soap Co., Franklin Bruck agency, 42 one-minute announcements; International Harvester Co., through Aubrey, Moore & Wallace, 12 announcements.

KFEL: Associated Tailors, through Earl A. Pivan agency, daily chain breaks, one month; Chez Paree Night Club, two spots daily except Sundays, one year; Desserich Furniture Co., through Ted Levy agency, three announcements daily; one year; Neighbors of Woodcraft, through Mac Wilkins & Cole, renewal half-hour twice a week, indefinite; Rockwood Chocolate Co., through Federal Adv., three participating announcements weekly; announcement service to Ala-Down Pharmacy, Vollmer's Bakery, Witt's Food Store, Crew's Restaurant, Guiry Bros. Wallpaper & Paint Co., Windslow & Davidson, Midway Lunch, Levitt's Cut Rate Market, Ferstein Bros. Garage, Alameda Sales & Service, Auto Hotel Garage and Hollywood Dance Hall.

Feb. 1 Compared to Jan. 25			
Network Units	Local Units	National Spot Units	Total Units
8,370	4,232	1,467	14,069
8,115	4,238	1,512	13,865
+3.1%	—0.1%	—3%	+1.5%

(Included: KFEL, KLZ, KOA, KVOD)

Hulbert Taft, Jr., manager of WKRC, Cincinnati, motored to Florida's West Coast last week for a fortnight's holiday. His wife is along.

LEFT BLANK IN SPOT CONTRACT

After Preliminary Uproar N.A.B. and Four A's Agree on Broad Terms for New Contract — Long Winded Conferences End

DOCUMENT DUE

The National Association of Broadcasters and the American Association of Advertising Agencies are at peace. A special N.A.B. committee and a delegation of time buyers last week came to a final agreement on the terms which are to go into a new standard contract for spot time bookings. Before copies of the new contract form will be sent N.A.B. member stations, mimeographed versions will be distributed among the conferees for another look-see this week.

Compromise was reached on the point most bitterly contested by the Four A's spokesmen, and this had to do with the 2% discount. It was eventually agreed that the discount clause not be written into the standard form but that blank space be provided for its writing-in by the agreeable station. About 18% of the stations allow this. Another Four A's demand, guarantee against 'secret rates,' went by the board, but the agency time buyers did get a clause indemnifying their clients against infringement damages in connection with BMI music.

Broadcasters committee set up by Neville Miller of the N.A.B. and chairmaned by Harry Wilder of WSYR, Syracuse, encountered plenty of grief and gab in this matter. Instead of the expected two or three meetings literally months of huddles were necessary. Presence of station sales rep Edward Petry (at the reported suggestion of Ed Craig of WSM, Nashville) was resented by time buyers as were some of his remarks. Broadcasters in turn resented and didn't get along with Frederick Gamble of the Four A's. The pugnacity finally subsided and the basis for the new contract emerged.

Suffering from exhaustion the broadcasters committee announced itself last week as going out of existence. Sales managers committee will presumably take over any further tangents.

NATIONAL SPOT ZOOMS 22% IN BALTO

Baltimore, Feb. 4.

Looked for improvement evidenced here this week with rises indicated in network and national spot counts. Deals in making pointing to continued spurt out of the January doldrums.

WBAL: Chrysler Motors, through J. Stirling Getchell, 14 announcements; International Harvester, through Aubrey, Moore & Wallace, 13 spots; Quaker Oats bought 'Little Orphan Annie' for 65 quarter-hours via Ruthrauff & Ryan; Koester's Bakers, through Carroll Jones, renewed 'Streamlined Fairy Tales' for 30 quarter-hour periods; Rex Theatre, via Louis Schecter, 26 spots.

Feb. 1 Compared to Jan. 25			
Network Units	Local Units	National Spot Units	Total Units
8,746	4,535	1,558	14,839
8,455	4,622	1,274	14,361
+3.4%	—2.1%	—22.3%	+3.3%

(Included: WBAL, WCAO, WCBM, WFBR)

Don Lee Sales Flurry Stimulates Frisco; 'Night Editor' in 7th Yr.

SEATTLE IMPROVES

Small Gains All Around—Three More for Hughes Newscast

Seattle, Feb. 5.

Web units hit the best pace here, three new sponsors for the John B. Hughes newscast adding some pep to the net figure. The Hughes stanza goes on the air 6:30 to 6:45 weekdays, and 6:30 to 7 p.m. Saturday. KOL added Mutual's Hebrew Evangelization program.

Feb. 1 Compared to Jan. 25			
Network Units	Local Units	National Spot Units	Total Units
6,330	10,643	692	17,665
6,179	10,502	698	17,379
+2.4%	+1.3%	—0.9%	+1.6%

(Included: KIRO, KOL, KRSC)

Chiclet Blurbs On KDYL; Web, Local Good in Salt Lake

Salt Lake City, Feb. 4.

Business in Salt Lake continues very good with emphasis largely on production, personnel and business relations. Earl J. Glade is off to New York to attend the Code Committee meeting of the N. A. B. and also a meeting of the National Radio Council on Children's Programs. He will address the latter group. Frank C. Carman, of KUTA, is on his way east in the interests of acquiring equipment for the new transmitter which will take care of their increase in power. Sid Fox and Walter Wagstaff of KDYL just returned from Denver where they attended a meeting of the 14th NAB district. Three new babies at KSL (under Births) and a delayed recovery by veteran scripter Gladys Wagstaff Pinner just about complete the picture for this week.

KDYL: Beech-Nut Packing, through Newell-Emmett Co., 110 chain-breaks; Dwight Edwards Coffee Co., through McCann-Erickson, 200 announcements; American Chicle Co., through Badger, Browning & Hersey, 102 announcements.

KSL: Boyle Furniture Co., renewal, evening chainbreak announcements, 52-week contract; Colgate-Palmolive-Peet Co. (Palmolive Soap), through Ward Wheelock, 3-week chain-break announcements; North American Accident Insurance Co., through Franklin Bruck, quarter-hour weekly news program; Kellogg Co., through Kenyon & Eckhardt, two one-minute announcements daily; Vick Chemical Co., through Morse International, four 50-word announcements weekly; Philadelphia Publishing Co., through Albert Kercher, renewal, five-minute spot announcement; Western Air Express, 27 100-word evening announcements; Radio Studios, Inc., renewal, series of 50-word spots.

KUTA: Lake Theatre, direct, 52 spot announcements; Douglas Models, 26 spots; Paris Co., sponsorship of annual Sigma Chi Derby; Salt Lake Tribune Telegram (and KUTA) outstanding basketball game of high school series, weekly.

Feb. 1 Compared to Jan. 25			
Network Units	Local Units	National Spot Units	Total Units
7,711	2,354	569	10,634
7,529	2,317	602	10,448
+2.4%	+1.6%	—5.5%	+1.8%

(Included: KDYL, KSL, KUTA)

KXOK Counts Blessings

St. Louis, Feb. 4.

Since KXOK (St. Louis Star-Times) joined the NBC Blue Jan. 1, biz has picked up at this station. To date it has contracts for 22 spot announcements, 15 quarter hour shows, five one-minute spots three times weekly, one half hour show.

And scattered chain breaks.

San Francisco, Feb. 4.

KFRC effected a unique deal this week whereby Fulton Lewis, Jr., rides both live at 4 p.m. and transcribed at 9:15 with the same sponsor, Hastings Clothiers. Latter has bankrolled the late version for some months, and now has added 120 releases of the earlier shot. That, plus a weekly half-hour Brain Battle, gives the outfit three solid hours weekly on KFRC, Garfinkle agency set the deal.

Same station has started spinning 'Little Orphon Annie' for Quaker Oats five-a-week at 6:15, giving them a solid hour and a quarter of kid strip shows. Ruthrauff & Ryan agencied. KFRC also has acquired Jean Anderson's participation show, 'Mylady's Mirror,' formerly on KSAN. Sponsors include Maxferd's jewelery outfit. Week of bumper activity at the Don Lee outfit also saw them getting back a five-a-week line into the Mark Hopkins, which they lost to KSFO about six months ago, plus a new weekly, 'Our Neighborhood' gossip shot with Catherine Kerry, on a trade deal with Clem Whittaker who publishes nine local weeklies.

Gary Kreidt of the KFRC sales department now issuing figures to show station carries more local and network shows for S. F. agencies or sponsors than all other network outlets combined. Uses week of Jan. 27 as example to point to 14 hours, 10 minutes of such accounts on KFRC against 10 hours, 35 minutes on the other three combined.

KROW signatured its fourth consecutive contract with General Mills for '41 Coast League baseball and will carry all games played by the Oakland Oaks. Dean Maddox gets the mike chore.

KPO: Cardinet Candy Co., through Tomaschke-Elliott, Oakland, quarter-hour weekly, 52 weeks, 'Night Editor' (renewal); Pauson & Co. (men's clothing), through Allied Advertising, three quarter-hour participations weekly, 'Musical Clock' 13 weeks; Manhattan Soap Co. (Sweetheart Soap), through Franklin Bruck, N. Y., 72 spots; H. Morton Co., Oakland (jewelry), through Emil Reinhardt, 52 spots (renewal); John Browning Co., Oakland (jam, jelly), through Emil Reinhardt, two announcements weekly, 26 weeks; American Pop Corn Co., Sioux City, Ia., through Buchanan-Thomas, Omaha, 18 spots; Swerl Products, Oakland (soap), through Lord & Thomas, 13, spots; Sperry Flour, through Westco Agency, one spot.

KGO: Lambert Sales (U. S. Tires), through Yeomans & Foote, quarter-hour weekly, 26 weeks, 'The Almanac'; Washington Cooperative Egg & Poultry Assn., through Birchard, Seattle, 26 participations, Ann Holden Forum (renewal); Sir Francis Drake Hotel, direct, 14 spots and seven participations, Ann Holden Forum; Stoneson Bros. (contractors), through F. L. Newlon, 52 Sunday spots (renewal); Denalan Co. (dental cleanser), through Rufus Rhoades, 26 spots (renewal); International Harvester Co., through Aubrey, Moore & Wallace, Chicago, 13 spots.

KFRC: Hastings Clothiers, through Garfinkle, five quarter-hours weekly, 25 weeks (Fulton Lewis); Denalan Co., through Rufus Rhoades, 52 spots; Pacific Brewing and Malting Co., through Brewer Weeks, 20 spots; Standard Beverages, through Emil Reinhardt, 156 spots; U. S. Lines, through J. Walter Thompson, 6 spots; William Wise, N. Y. (books), through Northwest Radio, Seattle, six five-minute spots; Simon & Schuster (books), through Northwest Radio, six five-minute spots.

Feb. 1 Compared to Jan. 25			
Network Units	Local Units	National Spot Units	Total Units
10,806	3,541	2,037	16,384
10,826	3,290	1,921	16,037
—0.2%	+7.6%	+6%	+2.2%

(Included: KFRC, KGO, KJBS, KPO, KSFO)

Reputations Imbedded in Blurbs

Swan Soap Using Names on One-Minute Waxings—Palmolive Also Primes Spray of Quickies

One-minute transcriptions which Swan Soap is turning out for the campaign which debuts Feb. 17 rates as the most expensive thing of its type produced to date. The account is tossing in performers with radio and legit reputations, vocal singles, trios and quartets and an instrumental unit headed by Lyn Murray. Listeners will have the words 'Swan Soap' dinned into their ears from five to eight times a day. It's to be the biggest razzle-dazzle connected with a new product since the same manufacturer did a similar job on Spry.

Palmolive is coming in at about the same time to make the women toilet soap conscious by the spot announcement route. Like Lever Palmolive is buying up spot periods in wholesale lots wherever the available periods are worthwhile.

MAX BILDERSEE GETS STATE RADIO BERTH

Albany, N. Y., Feb. 4.

Max U. Bildersee, for several years assistant to the educational director of NBC, has been appointed associate supervisor of radio education in the Bureau of Radio and Visual Aids, New York Education Department. Bildersee, after majoring for two years in radio education, finished first in a civil service examination for the new $4,000 position in the State service.

Has been with British Broadcasting Corp. and also NBC New York.

BASED ON ETIQUETTE

Program Gives Prizes For Best Samples of Good Table

Fort Worth, Feb. 4.

The Arabian Cosmetics Co., inaugurated a new series of weekly broadcasts over KGKO titled the Arabian Rendezvous on Sunday, Feb. 2. Ivan Wayne leads talent.

Presents, each week, two problems in etiquette, which the listeners are invited to solve, using their own personal ideas of good manners —good taste. The two letters which are in the opinion of the judges the most logical and sincere will win $25 each.

Aims Law at Loan Ads

Albany, N. Y., Feb. 4.

Senator Pliny W. Williamson, Westchester County Republican, has introduced two bills affecting borrowing-money broadcasts by industrial banks, etc. One provides that no industrial bank shall advertise, print or broadcast any statement with regard to rates, terms or conditions for loans, unless interest rate or charge is stated in terms of simple interest on amounts due. The second prohibits advertising by printing, broadcasting or otherwise in connection with the extension of consumer credit, for the purpose of 'encouraging needless borrowing.' Senator Williamson is chairman of the committee on banks in the Upper House.

CBS Pacific Adds 2

CBS Pacific network has two starters. National Lead will take another whirl on the 'Answer Auction' starting Feb. 20 for Dutch Boy Paint. On eight stations, via Erwin Wasey.

Soil-Off Mfg. Co. goes on Thursday p.m. and Saturday a.m. with Bob Garred giving out the news on seven stations.

El Paso's Fast Change

El Paso, Texas, Feb. 4.

Station KROD, (Dorrance D. Roderick) has been granted a power increase as well as a new wavelength by the Federal Communications Commission. KROD first took to the air in June 1940.

Station has been operating with 250 watts on 1,500 kilocycles. It is now operating with a power of 1,000 watts on a frequency of 600 kilocycles. Station is affiliated with the El Paso Times and is the local CBS outlet.

Mike Outside Legislature Fails of Acceptance

Austin, Tex., Feb. 4.

A proposal to set up a radio broadcasting unit in the reception chamber just outside the house hall was turned down here recently by the House of Representatives. Resolution was tabled after a small flurry of excitement.

Offer was made by the Texas State Network of 15 minutes free time every afternoon during which individual legislators could voice their views on pending legislation, without going to a regular studio.

Freddie Miller's Baker

Yankton, S. D., Feb. 4.

Metz Baking Co. has signed Freddie Miller, recent addition to the talent staff of WNAX, Sioux City-Yankton outlet of CBS, for a five-a-week series. Program will plug Old Home bread.

Station auditioned Miller to the client as a possible replacement for its four-daily weather report. However, company retained the spot series as well as taking on Miller.

WCCO, Minneapolis, 'Midnight Owl Club' broadcast had a couple of surprise visitors the other night when Stan Hubbard and Ray Jenkins of opposition station KSTP dropped in while Lou Holtz, appearing at the Minnesota theatre, was interviewed by Bill Wigginton on the WCCO show.

Writers' Guild Sets Pacts

Continued from page 31

tive ways of meeting the situation. It may obtain:

(1) *A code of fair practice approved by the agencies,* (2) *a 'recommended' agreement which it would subsequently have the agencies adopt* (3) *binding contracts with the agencies* direct.

In the meantime, Guild leaders say, the negotiations have already borne fruit in better agency understanding of writing conditions and writer psychology.

Guild has advanced seven principal points for a proposed agency agreement. They are (1) Guild shop, (2) a limit on the time an agency may hold a script for consideration, (3) right of the author to be present at all auditions for parts on his programs, (4) payment within a reasonable time after a script is bought or ordered, instead of when it is broadcast, (5) in case a series is cancelled, payment for all scripts written in advance, (6) author to retain all subsidiary rights to his material and to regain the radio rights when the program goes off the air and (7) if replaced, the original author of a program to be paid 25% of the regular fee as long as the show remains on the air.

Attitude of the Four A's committee on those proposals is unknown, but general opinion of agency executives appears to approve most of them. Only likely hitches appear to be over points Nos. 1, 3 and the final portion of No. 6. Agency opposition to the Guild shop is apparently due to misunderstanding. Members of the Guild committee appear to have referred to the proposal as a 'closed shop,' which would prevent the hiring of any non-Guild author. Guild shop, however, would mean that any non-member writing for the agencies would be required to join the Guild.

No High Fences

Agency men apparently suspicious on that point, fearing the Guild might require prohibitive initiation fees or similar entrance hindrances. However, the Guild has no initiation fee or other restrictive entrance regulations and has offered to guarantee none will be imposed during the life of any contract signed with the agencies. Guild's dues are $10 a year and assessments are based on earnings, thus imposing the heaviest load on established writers.

Virtually all agency men agree that some writers are helpful at talent auditions—in which case their presence and advice invariably sought. They claim, however, that many writers have little judgement about casting or other production matters. The agencies therefore oppose point No. 3 in the Guild's proposals. They say they will refuse to give any such blanket permission.

In regard to the subsidiary and recapture rights point, there is wide divergence of agency opinion. Different agencies have different policies However, most appear to approve of the author retaining all literary, dramatic and film rights to his material, providing the use of such rights does not interfere with the radio version. In this connection, the Guild points out, the authors would be inclined to have an identical attitude with the agency, since it would be to the author's interest not to injure his own radio material. In regard to the Guild's proposal that the author regain the radio rights to his material when the program goes off the air, agency opinion is seemingly solidly opposed. They all apparently feel that the sale of any radio material should be final and although a few authors are able to get one-time broadcast deals, agency policy is almost uniformly against such practice.

When the three pending agreements are executed the Guild has a number of lesser matters for attention. News writers at NBC are to be organized and a contract obtained for them. Staff and free-lance pacts for transcription writing is also on the agenda, as are network contracts for free-lance sustaining scripts. After that, the organization will turn its attention to WOR-Mutual and finally the Associated Press, United Press, Transradio and International News Service scripting situation.

The Guild's western regional group is currently dickering for contracts covering various writer classifications in Los Angeles and San Francisco. All authors in St. Louis are now Guild members (in accordance with the Guild's agreement with AFRA). Sidney Fleischer, the Guild's attorney, and David Howard, a member of the eastern council are currently carrying on negotiations there for a contract with KMOX. They will subsequently seek agreement with other local stations as well.

Contracts with Chicago will probably be cought when the New York situation is clarified to some extent. In Cincinnati, the writers are covered by contracts obtained by AFRA, which will turn them over to the Guild in accordance with the same agreement as applies in St. Louis and other cities. Detroit, another network originating point, is on the Guild's list to follow Chicago. Philadelphia, Boston, Washington and other cities having few authors except a handful of continuity writers, are a remote prospect at the moment.

Three Up in Texas

San Antonio, Feb. 4.

The Federal Communications Commission during the past several weeks has been obliging to Texas stations, giving power boosts to three in various parts of the state.

KTRH of Houston was granted an increase in night power from 1,000 to 5,000 watts full time operation on 1,290 kc.

KTSM, El Paso, was granted a power boost from 500 watts full time to 1,000 watts full time operation on 1,350 kc.

KGKO, Ft. Worth, owned by Amon G. Carter with affiliation of the Fort Worth Star-Telegram and the Dallas Morning News was granted a night time power boost from 1,000 watts to 5,000 watts full time on 570 kc.

The West Publishers, Inc., newspaper publishers Austin and in Dallas, have filed application for a new regional station on 610 kilocycles with 1,000 watts with full time operation for Houston and for another outlet for Austin.

SHERWIN-WILLIAMS BUYING BASEBALL

Cleveland, Feb. 4.

Jack Graney, play by play mikeman of Cleveland Indian ball games and commentator Pinky Hunter will head south with ball club to send back dispatches for airing on WHK and WCLE.

Five minute daily spot on each station was purchased by Sherwin Williams Paint Co. Purchase marks departure from company's policy which to date has been restricted either to spot announcements or network shows.

DES MOINES LEVELS

Local Drops 10 Points—Not Rescues Five of Them

Des Moines, Feb. 4.

Brackets did a bit of teamwork here to save the total figure from drastic change. Local units slid from plus five to minus five, but web gathered in over half that number by pulling up from minus four to better than plus one percent.

Kellogg Co., through Kenyon & Eckhardt, 91 one-minute announcements, seven a week; Manhattan Soap Co., through Franklin Bruck, 45 announcements of 30 words, five a week; Lever Bros., through Ruthrauff & Ryan, 260 periods of 15 minutes each, 'Aunt Jenny's Real Life Stories'; White Laboratories, Inc. (Cheez), through Wm. Esty, 52 100-word announcements, four a week; Murphy Products Co., through Critchfield & Co., 52 periods of 30 minutes each, participation 'Iowa Barn Dance Frolic'; Quaker Oats Co., through Ruthrauff & Ryan, 64 periods of 15 minutes each, 'Little Orphan Annie'; Standard Oil Co. of Indiana, through McCann-Erickson, six announcements a week, till forbid; Smith Mother Nature Brooder, through Shaffer-Brennan-Margulis, three periods of 15 minutes each, 'Prairie Melodies'; Sterling Insurance Co., through Neal Adv., 15 minute programs, three a week till forbid, 'Prairie Melodies'; Gardner Nursery Co., through Northwest Radio, six periods of five minutes each, 'The Old Gardner,' six a week; Wm. Wise Co., through Northwest Radio, six periods of five minutes each daily except Sunday; Consolidated Drug Trade Products Co., through Benson & Dall, 30 minutes, six a week till forbid, 'Carter Family,' 'Cowboy Slim'; McConnon & Co., through The McCord Co., 15 minutes of 'Iowa Barn Dance Frolic,' till forbid; Dean Studios, Des Moines, through Lessing Advertising, two periods of 15 minutes each, 'Iowa Barn Dance Frolic'; Walker Remedy Co., through Weston-Barnett, 26 announcements of one minute each, six a week.

Feb. 1 Compared to Jan. 25

Network Units	Local Units	National Spot Units	Total Units
7,899	2,551	2,924	13,374
7,813	2,585	2,894	13,392
+1.1%	—5%	+1%	—0.1%

(Included: KRNT, KSO, WHO)

ADD THREE STUDIOS

NBC, Chicago, Will Have 13—1,000 Web Shows Monthly

Chicago, Feb. 4.

After mulling the matter for some time and working out tentative plans, NBC execs here have issued okays for the building of three more studios in the Merchandise Mart and an expansion of office space.

This move was put through last week by central division chief Harry Kopf, who states that with the new studios NBC will have 13 studios in operation with more than 1,800 programs per month, of which more than 1,000 are network shows.

Pellegrin's Award

Omaha, Feb. 4.

Frank Pellegrin, general sales manager for stations KOIL-KFAB and KFOR of Omaha and Lincoln, has been awarded the United States Junior Chamber of Commerce Distinguished Service Award for the 'outstanding civic service' during 1940. Presentation was made at a special luncheon here.

With this award goes official recognition of Pellegrin as the 'outstanding young man of Omaha for 1940.'

Perry Files for Tyler

Tyler, Texas, Feb. 4.

Application has been filed with the Federal Communications Commission for a broadcast station here to operate on 1370 kilocycles with a power of 250 watts by Roy G. Terry. Terry is owner and operator of station KOCA in Kilgore, Texas.

City has one other outlet which is KGKB, one of the Rev. James G. Ulmer properties which figured in the headlines the latter part of last year. Is affiliated with Mutual and the Texas State Network.

Bob McRaney, general manager; Houston Cox, news and sports editor; Jimmy Arrendale, chief engineer, all of WCBI, Columbus, Miss., recently completed a goodwill-inspection motor trip to various Mississippi radio stations.

LOTS OF ACTION IN SAN ANTON BRACKETS

San Antonio, Feb. 4.

Units took an upward swing this week in all departments. Many renewals of old accounts, together with new biz, is keeping local radio men happy. Several sporting events will boost local totals.

Hugh Halff, president and general manager of Southland Industries, Inc., owners and operators of WOAI, is expected to leave the coming week on a trip to the East, where he will visit agency men as well as network headquarters on biz.

WOAI: Renewal, Fleischmann Yeast Co., 10 one-minute e.t.'s per week, through Kenyon & Eckhardt; San Antonio Brewing Association, through Pituk, sponsorship of four daily commentaries by Betty Jamison on the Texas Open Golf Tournament; Chattanooga Medicine Co., for Black Draught, through Nelson Chesman, five quarter-hour programs per week with Tom Dickey and his showboys, also to KPRC, Houston; Chrysler Corp., through Lee Anderson, four 100-word announcements weekly; renewal from Hawk and Buck Work Clothes, through P. J. Beyette, Jr., quarter-hour weekly program through the Texas Quality Network; Nehi Corp. for Royal Crown Cola, 25 five-minute e.t.'s through BBD&O; Walgreen Co., two announcements on the Sportsnews; renewal from International Harvester Co., through Aubrey, Moore & Wallace, 13 spot announcements; Ralston Purina, through Gardner Adv. Co., 200 announcements from Jan. 30 to May 15; Kellogg Co., through Kenyon & Eckhart, 10 announcements per week for 10 weeks.

KABC: Oriental Rug Co., five announcements per week; Crystal City Ramblers, three quarter-hours per week through the Texas State Network; Golden Gloves Tournament sponsored by San Antonio Seven-Up Co.; Borderlon's Market, 10 announcements per week; Geo. Jones, Inc., one quarter-hour weekly newsroundup per week on Texas State Network; renewal of Texaco Star Reporter, Mon. through Fri., quarter-hour on Texas State Network; Rev. Leonard Coote, two announcements per day; Loud Speaker and Radio Co. and Home Supply House, two announcements per day on the Slogaphone program; First Federal Savings and Loan Association, through Coulter-Mueller-Grinstead, five five-minute e.t.'s per week; Alamo Beauty College, one announcement per day; E. Johnson Shirt Co., total of 30 announcements; Rose Floral Shoppe and Leslie's Chicken Shop, five-minute alternate day sponsorship of newscast period; Poe Motor Co., total of 30 spot announcements; renewal of half hour Texas Hall of Fame sponsored by Texas Electric Service each Sunday through Texas State Network; Jordon-Ivers Ford Co., renewal of six weekly five-minute remote broadcasts.

Feb. 1 Compared to Jan. 25

Network Units	Local Units	National Spot Units	Total Units
6,016	7,987	1,341	15,344
5,933	7,687	1,257	14,877
+1.4%	+3.9%	+6.7%	+3.1%

(Included: KABC, KMAC, KONO, KTSA, WOAI)

WBIR, Knoxville, Starts

Knoxville, Feb. 4.

Radio Station WBIR officially hit the airways recently as newest of Knoxville's stations. It completes Mutual's string of stations across Tennessee. Station will exchange programs with Chattanooga's WDEF, also Mutual affiliate.

Owner and operator of WBIR is J. Bidwell, radio engineer who has established five stations. RCA equipment was used throughout, with a 250 K transmitter, 76 B-2 Consolette, and 70 C turntables with lateral and vertical pickups. A Winchargar 185-foot vertical radiator is used. It will operate on 1210 Kilocycles with a day and night power of 250 watts. United Press Radio Service is contracted for.

Personnel includes B. George Barber, program director; John P. Hart, commercial manager; Miss Jean Doremus, director of public relations; Joe Wheeler and H. Arnold Smith, announcing and production staff.

ASCAP SONG SALES DRY UP

ATTORNEY SAYS ASCAP FEES ILLEGAL

Minneapolis, Feb. 4.

Members of Northwest Allied, meeting in convention here recently, ere informed by S. P. Halpern, local attorney, that all existing theatre contracts with ASCAP are 'illegal and unenforceable' in consequence of a court of law ruling in the ASCAP suit in the state of Washington.

In the Washington trial the court decided that ASCAP is a monopoly and threw its suit out.

Although Halpern offered to defend members, the organization decided to refer the proposition to a special committee before advising members to refuse to pay ASCAP charges. Halpern predicted that ASCAP will be 'only too glad to take a small portion of the fees which they now are charging exhibitors.'

Several members made the point that if ASCAP is 'knocked out' it may cost exhibitors more for the reason they'd have to deal with individual composers whose charges 'would be even more out of line.'

Another Road Accident to an Orchestra Hits Anson Weeks in Iowa

Anson Weeks, bandleader now playing mostly in the midwest, was painfully injured early Saturday (1) morning in a bus crash near Morango, Iowa. Weeks and his band were on their way back to Chicago by bus from a one-nighter in Des Moines when the bus smacked into the wreckage of two trucks which had crashed head on a moment before. He was thrown clear of the bus and sustained a fracture and compound fracture of one arm, concussion and cuts of the head. His arm was broken when the wheel of the bus ran over it. He was the only one of his group injured to such an extent.

Weeks crew has been playing three days a week, Saturday, Sunday and Wednesday at the Melody Mill Ballroom, Chicago, the rest of the week hitting the one-night trail. Leader is in Morango hospital and will be for at least a week. Band continued on to Chicago and played as usual.

FEELINGS HURT

ASCAP Camp Frowns Upon Gene Austin and Harry Richman

Miami, Feb. 4.

Gene Austin and Harry Richman irked the music men locally by their public blasts against ASCAP's royalty dividend system, although they themselves are both ASCAP songwriter-members. Austin's usage of 'My Blue Heaven,' a tune not authored by him, had lots to do with establishing him.

Richman, also, it is felt, has been too close to the old-line Tin Pan Alley ran-and-file to go out on a limb in any manner chiding ASCAP. Richman, incidentally, is using a decided BMI medley as part of his specialty at Ben Marden's Colonial Inn near here, which has been another vexing point.

Everybody Wrote

Boston, Feb. 4.

'Lullaby to Broadway Rose' is the title of an instrumental song Dick Rogers orchestra (formerly Will Osborne) will broadcast from Roseland Ballroom, New York City, when they open (6).

Song is dedicated to that famous Times Square character, and the entire band is down on copy as writers.

Assn. for Amendment Of Federal Copyright Law Opens in Syracuse, N.Y.

Syracuse, Feb. 4.

Injecting a new element into ASCAP's present trials, a National Association for the Amendment of the National Copyright Law has filed incorporation papers in Albany and is now centering a drive for membership in this vicinity. At the headquarters of the new association, James Novack, listed as president, said that despite the announced purpose, the association is 'sympathetic' to the objective of ASCAP. 'We are anxious to see if a compromise cannot be reached,' he said, 'between the restaurant, hotel and night club owners, and ASCAP, whereby a reduction of price will be agreed upon, and more of such establishments will be enabled to use ASCAP music and musicians.'

The group is also attempting to enroll local radio stations. Other officers are Mrs. Kathryn Therre, vice-president; Charles A. Camuso, secretary; Amiel Antonacci, treasurer, and Fred Ventrome.

TERMS CUGATS' SUIT SANS PROVOCATION

The Houghton Mifflin Co. and Isabel Scott Rorick filed an answer Monday (3) in the N. Y. federal court to a suit by Xavier and Carmen Cugat against them, in which $150,000 damages are sought for alleged libel. Plaintiffs claim Miss Rorick's book 'Mr. and Mrs. Cugat' was meant to represent them.

The publisher and the author insist in their answer that the central character is a vice-president in a midwestern town, and not in any way connected with the plaintiffs. They assert that on October 29, 1940, the Cugats, in reviewing the book for the Detroit Free Press, praised it, which stops any action against the defendants now.

Columbia Disc Pre-Trial Exam of Victor Execs

Columbia Recording Corp., and Columbia Phonograph Co. filed notice in the N. Y. federal court Thursday, Jan. (30) that they intend to take the depositions before trial of nine officials of the RCA Manufacturing Corp. on Feb. 10 in connection with RCA's suit against them. The officials are Frank B. Walker, vice-president; W. W. Early, manager of Record sales; Robert Weitherd, managing agent; Jane Briggs, managing agent of the label department; Howard Darnell, manager of the copyright division; Charles O'Connell, musical director of Records; W. Trembeth Walker, manager of the production department; Chester Meyers, assistant secretary of the record division, and Thomas Joyce, vice-president in charge of record advertising.

RCA, claiming priority to the 'red label' on classical records since 1902, asserts Columbia infringed on the label in 1940, and seeks an injunction, accounting of profits and damages.

Santly Judgment

A final judgment of $8,292 against Santly Bros., Inc., and $783 against Bernice Petkere was entered in the N. Y. federal court yesterday (Tues.) in favor of W. A. Wilkie, known as Bud Wilkie. Judgment includes costs, masters fee, taxes, etc, and the defendants are given 30 days to pay. Miss Petkere wrote 'Starlight,' which Santly Bros. published some years ago. The latter has since become Santly-Joy-Select. Joe Santly is now professional manager of Loeb, Lissauer Music.

Wilkie had sued for $25,000, claiming the plagiarism of his song 'Confessing' in defendants' song, 'Starlight, Help Me Find the One I Love.' Federal Judge Samuel Mandelbaum and the circuit court of appeals both ruled that plaglarism existed and a master determined the amount of profits and damages sustained by the plaintiff.

60% OFF AND GOING LOWER

Month-End Returns From Jobbers Provide No Joy in ASCAP Houses—Latter Batten Down for the Storm

STAFF WORRIES

While the standard music business is substantially better than it was a year ago, popular music business is expected to hit all-time lows by the middle of this month. By that time, it is expected, the shipment of current tunes by ASCAP publishers will have become negligible and music dealers will have to depend for saleable product on the output of Broadcast Music, Inc., and its publishing affillate, Southern Music. Jobbers last week estimated that their turnover of current sheet music was around 60% of what it had been last year and predicted that, unless BMI and Southern could meanwhile produce some big hits, this downtrend would sink to 80% of normal by the middle of this month.

The jobbers had expected the worst from the advent of ASCAP's break with the networks Jan. 1, but the situation was dramatically brought home to them last week as retailers, taking advantage of the month's end return privileges, started returning their stock of ASCAP-publisher current tunes. In the case of one jobber these returns amounted to two truck-loads. It was the greatest business blow the jobbing business has received since its inception. The sight of this mountain of returned bundles produced an air of deep gloom around the jobbing house and the personnel began to worry about the security of their jobs.

Meanwhile the major ASCAP publishers show no disposition to let out their staffs, there is talk among them of asking their employees to take sizeable cuts until the fight with the networks is settled or until the music industry has managed to develop effective substitute channels of exploitation.

What the ASCAP publishers are worried about most is that if the bottom does drop out of the current music business a large percentage of the dealers might decided to shut down their current music counters altogether and replace this with another product. If that should happen it would take the industry a long time to regain the lost outlets.

Harold Austin Recruits Home Guard (No Camp) Military Brass Band

Buffalo, Feb. 4.

Harold Austin, bandleader, is now Sergt. Austin of the 74th Regiment, New York State Guard. With six men from his dance unit, well-known batoneer in these parts has enlisted in home guard unit and been appointed head of its regimental band.

Austin hopes to build up 48-man musical unit, for which he has other ideas when (and if) war scare is over. For this reason he is recruiting wherever possible from among union musicians. Open invite has gone out to men in all bands hereabouts to sign up.

Stressed that musicians will have to rehearse only one evening a week, for two hours. The regiment, it is pointed out, is for home guard duty only, and doesn't even go to camp. Spokesmen say it can't easily be transferred to the army.

About 25 men have signed up so far, representing six or seven bands hereabouts. Austin, who retains his dance crew too, has led orchestras here 10 years, managing Crystal Beach (Ont.) dance resort in summertime and lately opening his own dancery here.

American Royalties to Cuban Songwriters Disquets Havana; Broadcasters There Are Pro-BMI

McCrory's Letter

Number of ASCAP publishers last week received a letter from the McCrory store chain stating that the controversy between ASCAP and the broadcasters has 'proved most detrimental to the sale of sheet music' and asking that these publishers do whatever they can to 'work for a quick settlement.' The letter declared that sales at the sheet counters were falling away seriously and asked whether it wouldn't be better for ASCAP publishers to make a settlement on some new basis rather than 'fight to the bitter end.'

'We have,' said the letter,' no desire to weigh the pros and cons of the scrimp controversy, but we know that our interests are being harmed. It is our unbiased opinion that quick compromise would be far more beneficial to you than a long drawn-out controversy.'

Music Men Can't Take Complimentary Copies Over Canadian Border

Boston, Feb. 4.

Canadian customs officers will not allow music publishers to bring complimentary orchestrations or professional copies in their cars into Canada, according to Hal White and Ed Marmor, New England reps for Witmark, Harms and Remick respectively.

On their recent trip, it was necessary for them to leave behind their car loaded with the material at Whirlpool Bridge, Niagara Falls, New York, and then promise their contacts that the music would be mailed them later.

HOROWITZ MAY GET 100% OF MAYFAIR

Anxious to concentrate his energies on building up the Lincoln Music catalog, Abner Silver may sell out his 50% interest in Mayfair Music Corp. to his partner, Willie Horowitz. Latter has a 15-day option to become 100% owner of Mayfair, thus leaving Silver only with the Lincoln catalog which he owned outright all the time.

Mayfair still owes Joe Davis around $30,000 of the original $75,000 purchase price when it acquired the Davis, Inc., catalog as a nucleus for the Silver-Horowitz firm. Latter must put up around $20,000 to buy out his partner's half interest between now and Feb. 15.

As and when the deal goes through, that doesn't affect the status of Henry M. Spitzer who is general business head of both units and has a participating interest. Spitzer held a similar post with the Max Dreyfus firms (Chappell-Harms).

Silver's attitude is that this will divest him 'of one headache instead of having two under existing conditions,' meaning the ASCAP-radio stymie.

Mayfair Music right now realizes some $20,000 annually from the Society; Lincoln's income is around $10,000 a year. Latter firm was acquired by Silver from Artie Shaw and his lawyer, Andrew R. Weinberger, for $25,000 at the time of the original purchase.

London Music Corp. has been chartered in Albany to conduct a business in sheet music, etc. Directors are: Myron J. Greenfield, Attorney A. Walter Socolow and Beatrice R. Nelson.

- By ABEL GREEN

Havana, Feb. 4.

Major reason for Jack Robbins' second extended visit here, within a year, is to assist in furthering the cause of a Cuban Composers and Authors Society. Since the American music publisher organized Robbins Music Co. of Cuba, S. A., a separate entity, he has quickly revolutionized local standards by paying $25 and $50 advances to native songsmiths who, heretofore, sold out their tunes for that amount, sans royalty or, more often, could only get onto the wax by making their original compositions part of a recording hookup with the local wax plants. The masters were made here but pressed in the U. S.

Robbins emulates that idea by having Cuban songwriters' works printed in New York, under topflight American production standards, and then shipped here for local merchandising.

Cuban radio, fearing the growth of the local songsmiths and sensing that a society, similar to those in almost every other Latin-American country, is inevitable, has been carrying on a bearish campaign against the songsmiths.

That accounts, incidentally, for the acute interest in the ASCAP-BMI fight, since the local music men heretofore looked upon the Society as the bulwark of the songwriters' strength. But with BMI having the bulk of Latin-American tunes, via Southern Music and E. B. Marks catalogs—including the highly favored 'Frenesi,' 'Perdida,' 'Mopical,' etc.—that has given BMI new values. The Cuban broadcasters, of whom there are disproportionately many, thus are partial to the BMI cause.

Some 35 stations currently in existence service 700,000 Havana metropolitan population. There are other stations in outlying Cuban communities.

Commercials are rampant. Fees are ridiculously low. Advertisers can buy 80 spot commercials for $20 a week; which gives an idea. On the other hand, the stations in the main are very weak in range and frequently can't be heard a few miles out of the city. U. S. stations come through better, away from Havana. In town, with 35 different channels cluttering the air, it's difficult to break through.

Incidentally, while here, Robbins will frame an 'ASCAP Show of the Air,' playing all tunes of all Society publishers, via wax, to hit the Florida and southern U. S. tier one of the more powerful stations.

COURT DROPS $25,000 SUIT AGAINST MILLER

Los Angeles, Feb. 4.

David Moldavsky's $25,000 plagiarism suit against Miller Music Co. was tossed out of U. S. District Court for lack of jurisdiction. Judge O'Connor ruled that the music company was not doing business in this state.

Plaintiff charged that the publishing company's song, 'Would You Mind,' infringed on his own ditty, 'Till Then.'

St. Louis Symph Tours

St. Louis, Feb. 4.

St. Louis symph orch, under the direction of Vladmir Golschmann, is currently making the first of three tours through the midwest. Current tour includes Peoria and Decatur, Ill., Iowa City, and Burlington, Ia., and Columbia, Mo. Troupe will return in time to play with Joseph Szigeti, Hungarian violinist (14-15).

Alec Templeton will be the guest artist at the annual pension fund concert Saturday (25).

Band Reviews

PAUL WHITEMAN ORCH. (18)
With Ann Sutherland
Colonial Inn, Hallandale, Fla.

This is a new Paul Whiteman. It's perhaps his best dance band in years. It's as modern as 1941. New blood, fresh arrangements, peppery rhythm and thoroughly solid in every respect. Proving that neither time nor tide can dim the King of Jazz.

Excepting for Mike Pingitore who, Whiteman states, will always have a job with him, it's all fresh Local 802 fodder. It's a zingy setup of four violins, four reeds, four brass, five rhythm including a crack Cuban drummer when the band converts into an equally fancy smaller unit for the congarhumba tempos. The four strings become seven through doubling by the reed section. There's also a relief pianist to round out the 18 personnel in addition to Ann Sutherland, who chants a nice vocal.

As for Whiteman's batoning for the three-ply, stellar, lineup that Ben Marden transplanted from his Riviera in Jersey to this new Colonial Inn on the Federal Highway at Hallandale, Fla., some 20 miles from Miami, the maestro is too veteran a hand not to do better than an average showmanship job. He's a dignified personality on the podium to back up Sophie Tucker, Harry Richman and Joe E. Lewis; he himself gives the show eclat with the Gershwin 'Rhapsody' teeoff; and he's ever an excellent foil in supporting the stars and other talent throughout the three floor shows nightly, in addition to his own dance sessions.

Whiteman went into temporary retirement for several months after breaking up his old combo. This date marks his emergence from self-imposed coventry and he's a cinch for the big leagues all over again. The Babe Ruth of bounce has bounced right back with this setup and after the Florida season, when he goes to the Hotel Roosevelt, New Orleans, etc., the rest of the country will see and hear a 'new' Paul Whiteman; the 'hear' part contingent on the ASCAP situation, of course.

Abel.

BILL CARLSEN ORCHESTRA
With Mickey Dowd
Terrace Grill, Hotel Muehlebach
Kansas City, Mo.

A newcomer to this supper spot is the Carlsen crew which makes its usual anchorage around Chi. Formerly Carlsen went in for the show type band aiming at theatre dates with singers, special acts and singing ensembles. Within the past year, however, he has executed an about face and has organized his band along the lines requested by ballrooms, hotels and clubs. He carries ten men besides himself and Mickey Dowd, who is a definite asset as a singer.

In its K.C. engagement the band showed itself a sprightly and lively crew, capable of playing the many varied rhythms requested by present day dancers. Thus the crew swings from a fox trot to a conga and to a novelty number in the same set without any particularly emphasized style but rather with an effort to concentrate on the mood or style of the particular composition. Characterization of the orch in words would list it as a lively, sweet outfit as indicated by the prominence of its reed section, in which the leader takes a noteworthy part.

Work of Mickey Dowd handling the singing assignments is outstanding and gives this band a marked advantage. Though short on stature measurements, Dowd has an attractive phiz and sings Irish lyric tenor in the style of Donald Novis and Jack Fulton. His best work, naturally, is on the ballads, but he works frequently and gets off the Latin and novelty tunes nicely as well.

Reed foursome includes Eddie Bahr, Paul Peregrin and Harry Iverson, who also clefts some of the arrangements. Brass has Jack Bonnett, Roy Peters, Olie Turner on trumpets and Jimmy Birch on trombone. Rhythm section lists Lee Simmons at the piano, Harold Kussius at drums and Phil Agnew on bass. Carlsen handles the clarinet and sax while on the stand and also makes entries in the arranger's book.

Quin.

HOWARD BECKER ORCH (11)
Turnpike Casino, Lincoln, Neb.

Musical trend established by the late Hal Kemp has its mark well imprinted on Howard Becker's orchestra, majority of whose membership consists of very young, instrumentally versatile men. Becker, himself, is only 24, tall, rangy, and packing nice voice to fill the choruses with lyrical touches.

Nearly all the band's arranging is by Ivan Wabash (Washabaugh), who used to play in the entourage, but has now been studioed with pen and paper, assigned the job of keeping the library up to date. In those places where song is demanded, and Becker chooses to step aside, Mac Harris lays aside his sax and comes to the mike. Good, too.

Reeds are manned by Alden McGregor, Harris, Dale Detwiler and Charles Heintel. The trio of brasses is split so that Eddie Heintel and Clark Brown are on trumpet, Ralph Palmer on trombone. Fritz Gehl is stationed at bass, Bill Weber on drums, and Austin O'Donnell at piano.

Dancers find the Becker music easy for them, good enough to get response from the young jumpers, yet with a number of arrangements that will present no difficulties for the oldsters to follow.

Becker's main forte would be ballrooms, considering his volume, and the straight manner of playing without show numbers.

Art.

RUDY RUDISILL ORCHESTRA (11)
With Jean Gordon
Turnpike Casino, Lincoln, Neb.

Once part of the comedy with Jan Garber's band, Rudy Rudisill, nut pianist, is now fronting his own group, libraried with music of the same style as the Garber arrangements with which he was associated so long. Besides Rudisill, other Garber alumni in the outfit include Jean Gordon, brightly attractive and nice voiced girl singer, and Lew Palmer on the drums.

Rudisill's group has one novelty in its man-power which probably isn't duplicated in another entourage in the country—his reed section. It's composed of four brothers—Sherman, Robert, Richard, and Albert Dix.

Trumpet men are Russ Walden and Don Ferrell, with Paul Potzick on bass, and Bob Dale at trombone. Palmer is the beater, and Rudisill manfully hammers the piano into musical submission.

In addition to a large number of the pop tunes, Rudisill, in this day of BMI bringing out a lot of tunes never heard before anyway, has encouraged his boys to write a few originals into the supply. Many of them are creditable efforts and draw applause.

Palmer is the leadoff male voice, although there are others who aren't shy at the mike, but it's to Jean Gordon the band looks for toting of the vocal load. She's a brunet with sparkle, and a showy physical make-up, augmenting her capable chirping.

Rudisill's bunch, modelled as it is after Garber, has the same appeal, and is up to giving any buyer satisfactory response in patronage.

Art.

'DANGER' SONG SUIT

Columbia Records and Band in Infringement Claim

Lawrence Gellert filed suit yesterday (Tues.) in N. Y. federal court against Columbia Recording Corp., John Hammond, of Columbia, and Joshua White, leader of Joshua White's Carolinians, seeking an injunction, accounting of profits and damages for alleged infringement of his song, 'I Hear Danger Singing,' by recording it.

Plaintiff published a book in October, 1939, called 'Me and My Captain, Negro Songs of Protest,' containing the song over which the controversy has arisen. Both the book and song were copyrighted.

Music Notes

Sam Coslow turned in three tunes for the Roosevelt-Mills soundies. Titties are 'Jive, Little Gypsy, Jive,' 'What the Country Needs' and 'I Am in Love With a Song.'

Jimmy Dodd sold his song, 'Thirty-Two-Fifty a Month,' as a duet for Buddy Rogers and Shirley Deane.

Robin & Rainger are waxing three tunes for the 20th-Fox picture, 'Tall, Dark and Handsome,' to be used in plugging the film.

Leo Shukin composing the music for 'New York Town' at Paramount.

Werner Heyman scoring 'That Uncertain Feeling' for Ernst Lubitsch.

Peter Tinturin and **Milton Drake** sold their song, 'You in My Eyes,' to Columbia for use in 'Betty Co-Ed.'

Bernard Hermann, who did the musical score for 'Citizen Kane,' has gone to Death Valley to complete a symphony.

Erich Wolfgang Korngold composing the score for 'The Sea Wolf' at Warners.

Richard Ullman, Jay Gorney and Bernard Simon sold five songs to be warbled in 'Hang Out the Moon' at RKO. Ditties are 'Home Is Where You Hang Your Heart,' 'Hiawatha,' 'Hang Out the Moon,' 'I Don't Mind If I Do,' and 'The Chicken or the Egg.'

Mrs. Maud Lambert Ball Loses Point vs. ASCAP

Maud Lambert Ball's plea for permission to examine Gene Buck, president of the American Society of Composers, Authors and Publishers, before trial, in order to allow her to frame a complaint against ASCAP, was denied yesterday (Tues.) by Justice Philip J. McCook in N. Y. supreme court. Plaintiff is the widow of Ernest R. Ball who wrote several hundred songs between 1903-1927, the year of his death.

The plaintiff had sought to determine her rights under the copyright act, as to revenues, royalties, and renewal rights which she claimed were due her. An affidavit of Herman Finkelstein, of counsel for ASCAP, declared that Ball cut the plaintiff out of his will, leaving her nothing at all, and that Jessie Mae White, Ball's first wife, two sons and a daughter are receiving one-third each on ASCAP royalties. Roland Ball, one of the sons, Finkelstein argued, questions whether his father ever married Maud Lambert Ball, nor is any proof available that he ever secured a divorce from his first wife. Finkelstein also questioned plaintiff's right to come in now after 14 years of Ball's death.

On the Upbeat

Jack Renard returned to the dance band field starting tonight (11) with Boston men and will play for regular dancing every Saturday at Roseland-State Ballroom, Boston, and on Tuesdays for Waltz Nights at the same spot, together with one-nighters in New England, in addition to his regular Friday night chore with Abe Lyman's Waltz Time program on WEAF-NBC red network.

Eugene Jelesnik and his television orchestra opened Monday (3) in the Ionian Room of the Deshler Wallick Hotel, Columbus, for indefinite stay. Replaces Jimmy Richards, who moves on south to Tampa Terrace in Florida.

Rudolf Friml, Jr., and his musical crew were signed to play in a Soundie for the Mills projector outfit.

Russ Morgan follows Glen Gray and the Casa Loma orchestra into the Palladium, Hollywood.

George Stephan, ex-Alvino Rey trombonist, has joined Lee Shelley orch at Chez Ami, Buffalo.

George Sedola returning from New York to take trombone chair with Harold Austin band, Buffalo.

Fenton Brothers signed with Junie Edwards of Interstate Orchestras, Inc., Boston.

Layton Bailey, from Casino, Pittsburgh, to Monaco's Cafe, Cleveland, replacing Don Pablo's crew.

Legit a Racket

Continued from page 3

on in the same calm, half-serious manner. 'Broadway producers stay in a legitimate racket, so they don't go to jail. They take a backer's money, put on a show nobody wants to see and at a cost beyond all reason. When it flops they don't seem to mind. They just look around for another sucker and do another flop show.

'Do you realize that more than $1,000,000 has been thrown away so far this season Broadway? Thrown away on plays that never had a chance. Shoddy, flimsy, artificial trifles that even the producers themselves, in many cases, knew could never succeed. Who does it help to put on shows like that?

'Maybe the producer makes a quick profit, but he damages his reputation, his integrity and his self-respect. It doesn't help the authors, the actors, nor the directors, designers, stagehands or even the theatre owners—at least not more than temporarily. In the meantime, it defrauds investors who have been hoodwinked into putting their money into such ventures. It's a crime that in a country which is concentrating its effort and wealth on national defense so much money should be thrown away in a racket.'

Serlin stirred his coffee for a few moments while the babble of diners flowed back and forth in Sardi's restaurant. Then he said, 'The only way the situation can be corrected is for the creative people to get together, to cooperate for decent conditions. We'll have to do away with the businessmen, the promoters who exploit the theatre for their own selfish interests. I don't know how it should be done. Maybe as a national theatre. Maybe in some other form. But it will have to be done ultimately, if honest investors are to have a fair chance for their money.'

Serlin isn't envious of any other producers who have hits. 'The more hits there are the better for everyone,' he says. 'I don't think a new comedy hit would hurt business at 'Life With Father.' If anything, it would help. I'd like to see 70 or more theatres running in New York, as there were years ago.' He doubts if he would go to many of them, but he would like to see them open.

'In Theatre for Fun'

'There are lots of plays I have no desire to see,' he explains. 'And there are lots of others I see and enjoy, but wouldn't want to produce. I have no interest in doing a play merely for the possible profit. I'm in the theatre for fun, not just for money. So I want to do only certain kinds of plays, ones with a particular quality. Therefore it will be harder for me than for most producers to find suitable plays. I doubt if I'll be able to get the plays I want in the normal way. Probably I'll have to find the proper material and have someone adapt it for me, as I did with 'Life With Father.' Right now I have the Nijinsky play, which I'm waiting for Clifford Odets to do, and 'Dutch Vet,' which is not ready, either.

'But I'm in no hurry. 'Life With Father' is a full-time occupation. It's still holding up here in New York, and seems good for many more months in Chicago. The Boston company will apparently last another three or four weeks there, after which we'll take it to Philadelphia. But this thing is only starting. With the exception of two weeks at different times in Baltimore, the show has played only three cities. It not only has any number of return engagements in Baltimore and Boston, but it has the entire rest of the country to play. I have no idea how long it will run in New York and Chicago. That's anybody's guess.'

Brushes Off Pic Sale

People keep asking Serlin about selling the picture rights to the play. 'I have no interest in selling now,' he remarks. 'One film executive couldn't seem to understand it when I refused even to discuss an offer. He kept wanting to know why. I merely said, 'Why should I?'

'There are other by-products of the play, though. For instance, we haven't sold any radio rights, but we worked up the idea of a 'Famous American Fathers' program. We couldn't produce it ourselves, so we turned it over to a regular radio producing office, and Howard Lindsay has been starring in the series. And maybe I shouldn't talk about this, because it's still supposed to be a secret, but I hear there's a deal on for some big company to sponsor it on a national network.'

Shuberts Unhappy?

Serlin isn't worried about his feud with the Shuberts over his booking of 'Father' in independent houses in New York and on the road. 'It's worked out very well at the Empire here,' he says quietly, 'and we've made money on theatre operation as well as on the show at the Blackstone in Chicago and the Repertory in Boston. We have the Walnut, which I regard as the best house in Philadelphia, and I am confident that we'll be able to get houses in other towns. If not, we'll see whether the local managements want to stick along with the Shuberts and thereby lose a sure smash hit, or whether they'll put pressure on the UBO to give us fair terms at their houses.'

The producer paused a moment and smiled slightly at that point before observing: 'By the way, the Shuberts haven't had a very good season with their theatre operation so far during 1940-41. Except for musicals, they've had hardly any profitable shows in their New York houses.'

Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels. Dinner business (7-10 P.M.) not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Weeks Played	Covers Past Week	Total Covers On Date
Orrin Tucker	Biltmore (300; $1-$1.50)	4	525	2,475
Leighton Noble	Waldorf (375; $1-$1.50)	3	1,275	3,825
Lani McIntire*	Lexington (300; 75c-$1.50)	3	1,300	4,600
Guy Lombardo	Roosevelt (500; $1-$1.50)	17	1,325	22,700
Woody Herman*	New Yorker (400; 75c-$1.50)	6	1,875	11,725
Jimmy Dorsey	Pennsylvania (500; 75c-$1.50)	2	2,575	4,725
Tony Pastor	Lincoln (225; 75c-$1.50)	18	650	7,750

** Asterisks indicate a supporting floor show, although the band is the major draw.*

Band Grosses on One-Nighters

Bobby Byrne (Ricker Gardens, Portland, Me., Jan. 29). Band turned up with a disappointing 400 attendance. It got estimated $280 at 65c-75c. Flu understood hurting that territory. (Metropolitan theatre, Providence, R. I., Jan. 30-Feb. 1). Band did a fair 14,000, approximately, in three days here skipping around $3,500 through the b.o. at 25c-68c. Byrne's Raleigh radio broadcast was done from stage.

Larry Clinton (Capitol B., Johnstown, Pa., Jan. 30). Clinton rounded up nice crowd of 1,088 at 99c on his way through to Feb. 7 opening at Chicago's Sherman hotel.

Del Courtney (Turnpike Casino, Lincoln, Neb., Jan. 31). Good weather and easing of university exams helped Courtney do okay 600 or so at 75c for $410 take.

Fenton Brothers (RKO Boston theatre, Jan. 30-Feb. 2). In company with five acts vaude Fentons did satisfactory, but unexciting $6,500 in four days at scale ranging from 28c-33c-44c-55c.

George Hall (Auditorium, Macon, Ga., Jan. 30). Fine $2,900 gross resulted from Hall's stop here. He packed in 3,200 at $1 general, $1.50 and 75c, tables and balcony.

Sammy Kaye (Sunnybrook B., Pottstown, Pa., Feb. 1). Kaye is liked in this area and it showed in the 2,487 he drew here at $1.10.

Vincent Lopez (20th-Century Theatre, Buffalo, Jan. 30-Feb. 1). Lopez group accounted for okay 12,000 people in three days, drawing about $4,500 at 40c top. House is a 3,000-seater.

Johnny McGee (Cambridge, Md., Armory, Jan. 29). McGee did nice enough $540 gross at hop for which 180 of 360 admissions sold went for $3 per.

Jimmy Lunceford (Auditorium, Savannah, Ga., Jan. 30). At prices ranging from 65c in advance and 75c and 99c at door Lunceford took in around $1,250 from 2,000 stub buyers. Little less than half were sold in advance.

Red Norvo (Totem Pole B., Auburndale, Mass., Jan. 31-Feb. 1). Norvo clicked solidly with gross of $2,410 in two days, getting 1,650 hoppers Friday and 2,320 Saturday. Tap, $1.35 a couple.

Boyd Raeburn (U. of Minnesota, Minneapolis, Jan. 31). Interpo Ball gave Raeburn nice gross of $963 with about 385 couples at $2.50 a pair. Some were on free list.

Dick Rogers, Bea Wain, Mable Todd (Lyric theatre, Bridgeport, Conn., Feb. 2). Trio did about average 4,985 people at 44c and 55c, running gross up to around $2,253.

Inside Stuff—Music

Robbins Music of Cuba is some $25,000 in the box on its campaign to unearth Latin tunes, but figures that if he gets enough of a catalog it can recoup via mechanicals. One of the first tunes to show up is 'Mio Cinco Hijos' ('My Five Sons') but it wasn't written by a musician, but by an amateur, one Oswaldo Farres, p.a. of Cerveceria Polar (Havana beer outfit) who got the tune started himself in an amateur way until Sylvia Suarez, Cuban manager for Jack Robbins ran into it. Song is now asserting itself internationally.

Alberto Dominguez, Mexican musician-composer, is unusual for his two-ply click with 'Perfidia' and his immediate followup with 'Frenesi' both Southern Music. Ralph Peer's Southern also has Augustin Lara, Mex songsmith, signatured to a 99-year pact.

When one member of the Fenton Brothers sax trio (Boston) played the wrong part of a song, causing a weird harmony, the boys were so intrigued with the effect of the passage they wrote a tune around it titled 'Fugue and Far Between.'

Metro-Robbins' three firms, Feist, Miller and Robbins Music, simulates the motion picture industry's slogan by utilizing, 'ASCAP songs are your best musical entertainment' institutional catchphrase on all press and exploitation matter.

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by operators to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parenthesis indicate the number of weeks each song has been in the listings and respective publishers. P. D. means Public Domain.)

Song	Artist	Label
1. Frenesi (5) (Southern)	Artie Shaw	Victor
	Woody Herman	Decca
	Benny Goodman	Columbia
2. I Hear a Rhapsody (4) (BMI)	Jimmy Dorsey	Decca
	Charlie Barnet	Bluebird
	Al Donahue	Okeh
	Dinah Shore	Bluebird
3. Last Time I Saw Paris (3) (Chappell)	Kate Smith	Columbia
	Leo Reisman	Victor
4. Yes, Darling Daughter (4) (Feist)	Dinah Shore	Bluebird
	Glenn Miller	Bluebird
	Johnny Long	Decca
5. Nightingale Sang (7) (S-B)	Glenn Miller	Bluebird
	Sammy Kaye	Victor
	Kate Smith	Columbia
	Jack Leonard	Okeh
	Bing Crosby	Decca
6. Santa Fe Trail (3) (Harms)	Sammy Kaye	Victor
	Guy Lombardo	Decca
	Dick Jurgens	Okeh
	Kate Smith	Columbia
	Bing Crosby	Decca
7. I Give My Word (8) (BMI)	Al Kavelin	Okeh
	Eddy Duchin	Columbia
	Jack Leonard	Okeh
8. Stardust (3) (Mills)	Tommy Dorsey	Victor
	Artie Shaw	Victor
9. So You're the One (3) (BMI)	Hal Kemp	Victor
	Eddy Duchin	Columbia
	Dolly Dawn	Okeh
	Dick Robertson	Decca
10. You Walk By (1) (BMI)	Tommy Tucker	Okeh
	Eddy Duchin	Columbia
	Wayne King	Victor

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

Song	Artist	Label
One I Love (Forster)	Tommy Dorsey	Victor
	Ella Fitzgerald	Decca
Five O'Clock Whistle (Advance)	Glenn Miller	Bluebird
	Ella Fitzgerald	Decca
You're In the Army Now (P.D.)	Abe Lyman	Bluebird
Salud Dinero Y Amor (Marks)	Vaughn Monroe	Bluebird
Anvil Chorus (BMI)	Glenn Miller	Bluebird
Memory of a Rose (S-B)	Sammy Kaye	Victor
	Glenn Miller	Bluebird
	Jimmy Dorsey	Decca
Hello Ma I Done It Again (Robbins)	Bea Wain	Victor

Teagardening on Decca

Jack Teagarden's orchestra has been signed to a year's contract with Decca Records. It began work on the agreement immediately, cutting four widely contrasting tune styles last Thursday (30). Tunes were 'Dark Eyes,' 'Prelude in C Sharp Minor,' 'Lonely Blues' and a Teagarden original, 'Chicks Are Wonderful.'

Teagarden was last with Eli Oberstein's U. S. Record outfit, but hasn't cut any sides for months. Before that he had been with Columbia.

Pig Latin Ballad

Boston, Feb. 4.

Steel yourself for the latest novelty, a pig Latin song titled 'I-way, Ove-lay Ou-yay,' written by Lou Morse and Lou Cole, just published by Back Bay Music Co., here.

Johnny Harris combo into Glen Winter Casino, Williamsville, N. Y.

Machado Carries Slides

Boston, Feb. 4.

Today's music publishers contact men are returning to song-pluggers here as of yore.

In making the rounds, Frank Machado, Shapiro-Bernstein's New England rep, hands the orchestra vocal orchestrations in his key plus slides when possible and proceeds to vocalize tunes his firm is currently plugging, as 'Nightingale Sang in Berkeley Square,' 'Memory of a Rose' and 'Johnny Peddler.'

Machado is president of the Boston group of Music Publishers' Contact Employees Union.

Don Ray and Hughie Prince cleffed four songs for the Andrews Sisters in 'Buck Privates' at Universal. Ditties are 'Boogie Woogie Bugle Boy,' 'Bounce Me Around With a Solid Four,' 'You're a Lucky Fellow, Mr. Smith' and 'When Private Brown Becomes a Captain'.

'Hoofery' Not High Class Enough, Sez Schroeder

Omaha, Feb. 1.

Editor, VARIETY:

On page 43, of your Jan. 29 issue you have an item headed 'C. J. Fox is Building Big Twin City Hoofery.'

Although, we are in the band business we also publish a House Organ known as 'Ballroom News' which enjoys national coverage.

I cannot appreciate having a fine ballroom called a 'Dance Hall' much less a 'Hoofery.'

We are in contact with the principal operators in the ballroom business and on many occasions we have recommended your paper very highly to ballroom operators and now is our face red.

Furthermore, for your information C. J. Fox operates the Surf Ballroom in Clear Lake, Iowa, and the Terp Ballroom in Austin, Minn., and does not have any spots in either North or South Dakota as your item might indicate.

On top of that The Surf and the Terp are strictly first-class in every respect and manner, and the Prom in St. Paul undoubtedly will be a credit to any city regardless of size.

We feel that you owe Mr. Fox an apology and perhaps best to do so through your paper to correct a most unjust and false impression that the item in question indicates.

Vic Schroeder.
(Vic Schroeder Agency.)

Band Bookings

Bobby Byrne, Feb. 8, Elms, Youngstown, Ohio; 9, Myers, Lake Park, Canton, O.; 10, Metropolitan theatre, Morgantown, W. Va.; 11, Police Dance, Uniontown, Pa.; 12, Empire Ballroom, Allentown, Pa.

Bill Bardo, Feb. 11-13, Empire theatre, Fall River, Mass.

Reggie Childs, Feb. 8, Wentworth Military Academy, Lexington, Mo.; 14, Scioto Country Club, Columbus, Ohio; 15, Lakeside Park, Dayton, Ohio.

Eddie de Lange, Feb. 14, Mosque Ballroom, Newark, N. J.; 15, Elmira College, Elmira, N. Y.

Johnny McGee, Feb. 13, Zembo Mosque Ballroom, Harrisburg, Pa.; 14, Massachusetts State C., Amherst, Mass.

Joe Venuti, Feb. 8, University of Indiana, Bloomington, Ind.

Count Basie, March 2, Rainbow Garden, Fremont, Ohio; 5, Orpheum theatre, Madison, Wis.; 7, University Coliseum, Omaha, Neb.; 12, Meadow Acres, B., Topeka, Kans.; 25, Greenville B., Greenville, Miss.

Henry Busse, Feb. 28, Chase hotel, St. Louis.

Del Courtney, Feb. 16, Rainbow Garden, Fremont, Ohio.

Sam Donahue, Feb. 6-8, Cornell U., Ithaca, N. Y.

Earl Hines, March 7, Sunset Aud., West Palm Beach, Fla.; 10, Two Spot Club, Jacksonville; 12, Apollo B., Tampa; 16, Harlem Square Club, Miami; 17, Windsor Club, Fort Lauderdale, Fla.; 20, Pickwick Club, Birmingham, Ala.

Leonard Keller, Feb. 15, Indiana Club, South Bend, Ind.

Ted Lewis, Feb. 10, Shrine Mosque, Springfield, Mo.

Enoch Light, Feb. 14-15, Ft. Myers, Fla.

Vincent Lopez, Feb. 12, Basle theatre, Washington, Pa.; 22, Rollerdrome, Middletown, N. Y.

Boyd Raeburn, March 1, Athletic Club, Milwaukee, Wis.; 11-15, Coliseum, Tulsa, Okla.

Pinky Tomlin, Feb. 13, Muehlebach hotel, Kansas City, two weeks; April 12, Club Trocadero, Evansville, Ind., two weeks.

Fenton Bros., Feb. 5, Chateau, Bangor, Me.; 6, Ricker Gardens, Portland, Me.; 7, Rockingham Country Club, Newmarket, N. H.; 8, Oceanview Hallroom, Revere Beach, Mass.; 9, Hofbrau, Lawrence, Mass.

Al Donahue, Feb. 7-8, Totem Pole Ballroom, Auburndale, Mass.

Ozzie Nelson, Feb. 7, Raymor B., Boston.

Coquettes, Feb. 7, Shawsheen Crystal B., Andover, Mass.

Tommy Dorsey, March 4, Lowell Auditorium, Lowell, Mass.; March 5, Totem Pole Ballroom, Auburndale, Mass.

Gray Gordon, Feb. 14-15, Raymor Ballroom, Boston.

Acts in Raid on Girl Singer

Bobby Bryne Sues Glenn Miller on Contract Jump of Dorothy Claire

British Best Sellers

(Week Ending Jan. 4.)

Song	Publisher
All Over Plac-	Gay
All Things You Are	Chappell
Bless 'Em All	Prowse
Sierra Sue	F-D-H
Ferry Boat	Sun
Bellringer	Cavendish
Another Day	Southern
Blueberry Hill	Victoria
Nobody's Baby	F-D-H
Fall In Love	World Wide

Bobby Byrne's $25,000 suit against Glenn Miller over vocalist Dorothy Claire was begun last week when Miller and various parties concerned in the case were served with papers. Along with Miller copies of the complaint were delivered to Miss Claire, her mother, Liggett & Myers, sponsor of Miller's Chesterfield broadcasts and Cy Shribman, Miller's financial backer. Miss Claire's mother was served because she, acting for the singer, who is a minor, signed a three-year contract with Byrne. Shribman was made a party to the suit because he is supposed to have gone to New Orleans and talked Miss Claire into joining Miller.

Suit is one of the first of its kind based on the raiding of bands. Practice of reaching into another band for a performer needed to bolster a weak spot in an outfit is indulged in by almost every leader, some doing it in a nice way by buying a contract and other open means and others ruthlessly offering more salary as an inducement to make a switch. Angle on this particular case is that both bands are managed by the same office, General Amusement Corp.

Byrne is now using vocalist Kay Little in place of Miss Claire. Miss Little had been with Tony Pastor, another Shribman interest, and is supposed to be contracted for a year to Shribman himself. It's figured that Shribman will release Miss Little to Byrne if Byrne consents to drop the suit against Miller.

Colored Songsmith Objects to 20th's 'Tin Pan' Film Treatment

New York, Jan. 29.

Editor, VARIETY:

We used the musical number 'Honeysuckle Rose' in our picture, 'Tin Pan Alley.' We obtained permission from the composers for the use of the number in the manner it was used in the picture and also paid a sizable fee to the publisher for the recording of the music in the picture. The composers of 'Honeysuckle Rose' are Andy Razaf and Thomas 'Fats' Waller. Both composers are colored.

I am enclosing a very interesting letter we received from Mr. Razaf, who objects to the portrayal of himself in the picture as a white man. He doesn't seem to think it is in good taste. He asks the very interesting question:

'How do you think Irving Berlin, Cole Porter or any other white writer would feel to see a colored man pictured as composing one of their songs in a prison cell?'

I must confess I do not know the answer. Perhaps Mr. Berlin or Mr. Porter would tell you the answer.

You will note that Mr. Razaf's letter is only a complaint and no action is threatened. A very interesting question of law, however, is raised whether north of the Mason and Dixon line a negro is libeled by being represented as a white man.

So that you may have all the facts before you I am enclosing a copy of the authorization received from Andy Razaf.

Edwin P. Kilroe,
Counsel, 20th Century-Fox Film.

Razaf's Letter

New York, Jan. 10.

To the Attorney of
20th Century-Fox Films
New York, N. Y.

I have just seen 'Tin Pan Alley,' in which 'Honeysuckle Rose' was used, and as co-writer of this song I was indeed shocked at the way it was spotted in the picture. The script writer handled every other song with extreme care and tact, but suddenly threw caution and good taste to the winds when he got to 'Honeysuckle Rose.'

How do you think Irving Berlin, Cole Porter, or any other white writer would feel to see a colored man pictured as composing one of their songs in a prison cell? Furthermore, to display a copy of 'Honeysuckle Rose' with the names of fictitious writers on the title page was adding insult to injury.

It is quite true that Waller and I received what I could call an appeasement check, but in spite of this gesture we would have been happier to have seen 'Honeysuckle Rose' in a dignified setting and to have received the proper credits as did the other writers in this film.

You will better understand my feelings when you read the enclosed clippings. Considering that a writer's prestige is like a trade-mark which must be built up carefully and jealously guarded you will realize the extent of injury 'Tin Pan Alley' has done us.

Your truly,
Andy Razaf.

Everett **Hoagland's** outfit, with Walter Kane as new novelty vocalist, back at Cleveland Hotel's Bronze Room, supplanting Paul Pendarvis.

SPIVAK UNIT TAGGED FOR GLEN IS. CASINO

Charlie Spivak's new band has been singled out for the coveted summer stretch at Glen Island Casino, New Rochelle, New York. Outfit is at the Casino now having been there since late last fall, working the spot's first season of winter operation. Spivak will leave March 28 for six or seven weeks of theatre work, including a shot at the Strand theatre, N. Y., then go back about May 22.

Indications are that the Casino may split its season this year, bringing in two bands instead of one. When Mike DeZutter, Casino official, was asked how long Spivak would stay his answer was 'a good part of the summer.' It may be that Claude Thornhill will follow Spivak. His new band had been mentioned as a possibility for the entire season.

Cut Les Brown Contract?

Negotiations were on Tuesday to transfer the contract of the Les Brown band from Joe Glaser to General Amusement Corp. Deal has been in the works for several weeks, but was hanging fire until Tom Rockwell, GAC exec, returned from California.

Brown at one time recently was being booked by GAC on a contract, which, according to Glaser, stipulated that GAC had to secure the band an agreeable location date with network wires to make the pact binding. It was for five years, but expired in 90 days when the agency failed to come up with a suitable location.

Powell to Tuckahoe

Teddy Powell's new band will go after an air buildup via three months stay at Bordewick's, Tuckahoe, New York, with network wires. Band opens Feb. 12. Spot was once called Murray's and its air time is generally credited with helping Tommy Tucker's band get started. Tucker was there a long while more than a year ago.

Powell last week took his band out of General Amusement Corp. and lined it up for bookings with Consolidated Radio Artists.

Milwaukee Nostalgia

Milwaukee, Feb. 4.

No. 1 record for popularity on the local juke box circuit is 'I Wish I Was Back in Milwaukee,' written by J. V. De Cimber, a home town composer, and waxed by Freddie Fischer's Schnicklefritzers.

De Cimber has just organized the Republic Music Publishing Co. to market this and other numbers of which he confesses authorship.

Night Club Reviews

ROYAL PALM, MIAMI

Miami, Feb. 1.

Milton Berle, The Royal Guards, Jean Travers, Paul Haakon, Alex Rotov, The Jansleys, Palmettes (24), Rose Blane with Abe Lyman Orch (17), Oscar de la Rosa Orch (8); $5 dinner or $4 minimum.

A highly regarded entry in the early-season qualifying trials for the town's number one nitery stakes, Art Childers' Royal Palm, with Milton Berle up, now looms as a sure winner over a field offering the stiffest competition in history of the local classic. It also marks Berle as a leading contender for the nation's top nitery comic rating for 1941.

Aside from this being the initial local showing of his classy new model proboscis, Berle has added advantage of being bracketed in fast company that not only scores impressively, but serves as ace foil for his facile ad libbing. Not only does he wow the customers as a single, but keeps the room in an uproar by crashing every act on the bill, even to getting involved in the whirlwind acrobatics of the Jansleys. His ultra-smart quips are occasionally too fast for those slow on the uptake. By the time some of them sink in, Berle is into chapter two, and has to backtrack to pick up the stragglers. He is undoubtedly one of the fastest and most indefatigable entertainers on the boards today.

The Royal Guards are right in the same league, but their pitch has a romantic angle. A personable sextet of stalwart songsters, they stopped the show cold opening nite (29) with robust renditions of musical comedy and college airs. Value of their vocalizing is doubled by the swash-buckling appearance they make in guardsmen uniforms of blue and white, hip boots and swirling capes.

Jean Travers is another who is right in there pitching. She is an exceedingly well poised coloratura soprano, not without considerable s.a., whose well-tuned pipes permit her to register effectively both with pops and operetta excerpts. Her exchanges with Berle likewise stamp her as a talented commedienne. She's doubling from the Roney-Plaza Hotel.

In following Paul Draper into the Royal Palm, Paul Haakon faces an obvious hurdle in that there are almost certain to be comparisons made between his technique and that of his predecessor. Actually, there is little basis for argument. Draper crosses ballet with taps, while Haakon is strictly a product of the ballet. This is one of the few times he has ventured into the nitery field. Evidently he has given this transition considerable thought, for his routines, though still retaining the essential fundamentals of the ballet, have been adapted to the tastes of the cafe mob. Looks like a good bet for similar bookings.

Alex Rotov is also an expert terper. His stepping, however, is strictly of modern vintage.

Spotting the Jansleys in this layout is another smart move, for quartet provides the sawdust touch needed to satisfy any with a perennial circus complex, yet doesn't detract from the class calibre of the bill. Working without a springboard, two of these ace acros perform spine-tingling flips and stands on the upraised feet of the bottom half. It's a spectacular turn and rates hefty applause.

Royal Palmettes are one of the few lines of lookers in town who can actually hoof. Slick routines would indicate plenty of forethought and rehearsal, and nifty costumes are an added attraction.

This marks Abe Lyman's third season here, and his versatile aggregation has never sounded better. A sock combo of 17, it handles show with snap and authority, and dispenses sizzling dansapation. Rose Blane has plenty of oomph, and sells her vocals with conviction. Lyman is a natural for Berle's clowning.

Oscar De La Rosa makes with the marimbas for the congarhumba conscious.

Revue was produced by Al White, Jr., and an original score, as yet unpublished, is by Bob Musel and Lionel Rand. *Harris.*

COPACABANA, N. Y.

Patricia Bowman (2), Elvira Rios, Juanita Juarez, Fernando Alvarez, Chorus (6), Nat Brandwynne's Orch, Frank Marti's Rhumba Band; $2 and $3 minimums.

Now Monte Proser's No. 1 New York nitery click (although the Beachcomber on Broadway is still plenty profitable) the Copacabana preemed a fine show in the east side spot's classy tradition last week (27). One of its features, Patricia Bowman, is a departure for a night club anywhere, ballet dancing being a rare dish for nocturnal whoopee, but to the credit of stager Marjorie Fielding and Miss Bowman's own excellent toe work, part of it with an unbilled male partner, the longhair routines hold attention.

Show's top click is the liquid-voiced Elvira Rios, a South American ballad singer who rates in the best company. She was held for five numbers at this catching and could have done more, but most remarkable was the fact that her low-pitched voice held a well-filled room in silence.

Juanita Juarez, cute little South American singer, who also fronts her pianist-husband's rhumba band in its dance sessions, and the personable Fernando Alvarez, who m.c.'s and sings in Spanish, are holdovers and virtually playing stock at the Copacabana.

Copacabana's floorshow is held to a rather brief running time, but apparently just enough of a dose for the customers. There's no stalling and no mumbo jumbo, but just neat entertainment by good-looking people. And among the latter, of course, is the extremely well-costumed (Myles White) line of six girls, all beauts doubling from Broadway musicals who are as good on the hoof in Miss Fielding's routines as they are in appearance.

This layout looks like the best this nitery has had since its opening and indications are it will stick six to eight weeks. *Scho.*

BEACHCOMBER

(MIAMI BEACH)

Miami Beach, Feb. 1.

Xavier Cugat Orch (14), Eduardo Chavez and Rhumba Band (9) Johnny Pineapple Band (4), Carlyle Blackwell, Tropical Dancers (8), Linay Romay, Carmen Castilla, Miguelito Valdez; $2 minimum.

Monte Proser's Beachcomber is an even bigger success in Miami Beach than on Broadway or any of its branch zombie joints. Considering the stiff competition from the other class joints which invariably have casino adjuncts, and that this is a straight eatery, it's all the more amazing, especially in this resort.

New lineup is unique in cafe history for a number of reasons. For one thing it pits two congarhumba bands against each other—Xavier Cugat's bigger crew (14) and the Eduardo Chavez combo (9) which is a holdover. This seemingly wacky booking is daring but not so screwy an idea. Since they're nerts about Latin tempos in these parts, Proser is giving them double feature therof and there are no squawks.

Actually it's a circumstance not exactly of his own choosing. Cugat was pre-booked months ago, in fact when he was at the Waldorf-Astoria, N. Y., last summer. It wasn't then anticipated that the transplanted-from-Broadway Beachcomber band, Chavez, would click so solidly in Miami, but since he did, his band was also retained. In the meantime Cugat didn't figure that his Camel radio show would register and that he might be placed in the position of wanting to buy off his contract here for $5,000, as he offered to do, for the five weeks that they're in. As it was, Cugat paid off $1,000 for some weeks in other southern keys when the radio commercial cropped up.

Also unique in this spot is Carlyle Blackwell, the yesteryear silent screen star. A well preserved drawing room type even today, Blackwell is doing this chiefly as an avocation. He is reported well fixed and furthermore has been a liquor house representative for some time. Here he only makes the preliminary introductory and also officiates modestly in the Beachcomber's outdoor patio for the cocktail dansants.

Show is 100% Latin. Miguelito Valdez (New Acts) is given fuller opportunities here than when Cugat first brought him in from Cuba last summer. He's one of the few Cuban radio-made stars.

Carmen Castillo (Mrs. Cugat) who records prolifically with her husband-maestro on Columbia (and formerly Victor) has a soprano solo opportunity, but held down by length of the show. Her rendition of 'Frenesi' is still distinctive, despite the radio over-playing of the number.

Cugat himself is the dean of Latin dansapators. Long ahead of the field, he stuck to his guns, in face of shifting dance styles, and where formerly he was countenanced as the No. 2 rhumba band, the shifting terp trends elevated him into No. 1 position. Others, less hardy, notably Enric Madriguera, who, too, was a pioneer Latin-American dansapation, were forced to shift to bouncier rhythms in order to get out of the then relatively minor league standing; although today Madriguera likewise has sprung back into the limelight.

Linay Romay (New Acts), although minor-spotted with Cugat, as part of his personnel, rates specialized attention in cafes as a modest-priced but flashy femme interlude. Adel Mara, also a youngster of about 18, is a classic Spanish dancer, with emphasis on the castanets. She has been part of the Cugat ensemble for some months. Her impression of Donna (Medrano and) is her featured number and OK.

Tropical Dancers (8) remain the best-looking conga line in the field. The boys and girls are screen types. One Eileen Devlin is quite a local rave, and a couple from the octet step out and do a very presentable tango routine to break up the sequence. Johnny Pineapple's Hawaiians (4) give out a neat change of pace thus supplying the Beachcomber with three sets of bands, all in the Latin or South Seas idiom, but highly commercial none the less. However, there are still some qualms over the wisdom of such band bookings, and only the weeks' successive grosses will answer that. Right now it's working out better than expected. *Abel.*

TERRACE ROOM, DET.

(HOTEL STATLER)

Detroit, Jan. 24.

Escudero and Morales, Crawford and Caskey, Patricia Gilmore, Sarita and Tito, Enric Madriguera Orch (11).

Combining lighting effects, music and performers into an entity, Enric Madriguera has come up with the second of his 'Midnight Moods,' a smooth flowing show idea which has helped him break records for the Terrace Room, one of the two hotel niteries in downtown Detroit. Compact room here has long been a center for the congarhumba crowd, plentiful in the town, and Madriguera was in no envied spot when he followed Xavier Cugat who set off the craze here three years ago and has since been a veteran settler in the room.

What Madriguera is giving beside music is distinctly class stuff, naturally woven around Spanish themes but with conventional American acts not neglected. Madriguera's 'Mood' idea takes a constant sweep from jungle music into Latin-American tunes and then into American popular music.

His current show starts with a blacked-out room, jungle rhythm and spot picks up Tito Rodriguez from the band, who sings 'Peanut Vendor.' Marie Morales takes a solo spot with a tango. It serves nicely in bringing on Anthony Escudero, son of the great Spanish dancer, who while working with another traditional number, the 'faruca,' flashes amazing heel taps and winds up with the noted trick of his father's, playing his fingernails like castanets. Madriguera follows with a return to his concert fiddle using 'Star Dust' for a starter and letting the crowd whims take him elsewhere with their nominations in the plentiful encores.

Morales and Escudero, who team up as a cute, pint-sized pair, do a 'jota,' another native dancer on the flirtatious side which allows in some comedy with the technical excellence.

Show starts slipping away from the Spanish emphasis when Patricia Gilmore, whose personality and voice are strong, takes over the lyric chores with 'Give Me Time,' 'I Got to Keep on Shakin',' with a deft cornet obligato from Jimmy Carroll; 'The Last Time I Saw Paris' and 'I Hear Music.' The show rounds out with Crawford and Caskey, working as easily and humorously as usual, having fun with American ballroom styles, combining comedy with nifty footwork and adagio and even using magic props for a fourth number. It's the kind of show that runs heavily to encores.

On the night caught Sarita was out with flu. She has a comedy dance turn with Rodriguez. *Pool.*

MAYFAIR, MIAMI

Miami, Feb. 1.

Benny Davis 'Stardust on Parade' with Marie Austin, The Mulcays (2), Galli Sisters (3), Ruby Ring, Norman Drake, DeMayos (2), Jerry Bressler Orch (8) with Wendy Bishop; $1.50 minimum, no cover.

Joe Moss, familiar Broadway nitery figure through his past affiliations with the Hollywood and International Casino, is boniface at this somewhat out-of-the-way spot where Benny Davis heads a crack 'new talent' floor show. However, Miami's geographical spread is such that location means nothing if you've the show; the price is right; or there are other attractions. Right now Miami is pretty wide open, but the technical raid on Slapsie Maxie's, in face of everything else being loose, stalled any casino adjuncts with the Mayfair.

It's a gag among the show bunch that this spot sees 'a new Benny Davis—he doesn't sing 'Margie,'' but actually that is kidding on the square. He's less obtrusive in his introductories, he builds his kids right, gives them their full opportunities solo, without intrusion, and, above all, paces a fast and clever revue. He himself isn't kidding that the ASCAP situation forced him back to 'saloon' singing, and he does that by plugging three good potentials in 'That's Miami,' which is a local booster ditty that he hopes to tie up with the Chamber of Commerce; 'That's How I Remember Her By,' in rhumba rhythm, and 'Try Love.'

Incidentally Davis' wheeze that he's stopped using Jello, smoking Luckies, etc., is really part of the ASCAPites' general idea that if radio boycotts their music, this is the only way the music men can retaliate. Invariably, also, this sort of spiel gets surprisingly audible audience response from laymen who are seemingly au courant of the situation.

Show lineup is a judicious admixture of nascent and established talent, somewhat belieing the 'Stardust' billing but, for general values, it is decidedly there.

The Mulcays (2), personable husband-wife harmonica combo, click with Gershwin's 'Rhapsody,' 'Flight of the Bumble Bee' and Larry Adler's arrangement of 'Smoke Gets in Your Eyes.'

The Galli Sisters (3) are juvenile scat-sing trio who have done some filmusical harmonics, including 'Wishing' which they introduced on the screen. They handle 'Ferryboat Serenade,' 'Hawaiian War Chant' and a 'Show Boat' medley equally as well. The middle one, seemingly only about 14 or 15, despite her makeup, is the outstander with her Fanniebricesque personality, although there's nothing dialectic in their lyricizing.

Norman Drake is a fast tapster, his impression of a Communistic harangue in tempo being a neat conceit. Ruby Ring ties herself into knots with her contortive specialty which is never offensive however. She does an acro-dance strip, so to speak, utilizing a staircase contraption for her amazing limber-limbing. Miss Ring, in addition, is attractive and fits nicely in any cafe, for closeup work, besides being an asset for the rostrum.

Marie Austin, too, has been around. She's a cross between the Ella Logan-Dixie Dunbar style of hotcha song selling, and essays a toughish Patsy Kelly mannerism as she gives out with 'Ohio,' a Ted Lewis 'Baby Smiles at Me' impression; 'That's for Me,' and 'Argentine Way' (rhythm parody version). The DeMayos (2) are fast whirling steppers, also a nice interlude. Jerry Bressler batons the band and a very photogenic gal, Wendy Bishop, vocalizes and does the maracas routines with him.

Given break at the casino, Davis ought to convert this spot into a winner for Joe Moss. *Abel.*

Unit Reviews

SCREWBALLS OF 1941

(ORPHEUM, DES MOINES)

Des Moines, Jan. 30.

Jack Powell, Four Franks, Al Verdi, Ted Lester, Wilbur Hall and Renee, the Ambassadors, Don Rice, Eve Ross Girls; 'Let's Make Music' (RKO).

The footlights of the Orpheum are on again after five and a half years with a variety show that proved so popular in the four days booked it was held over for two days. The show, which had its opening here, brought capacity weekend business despite a 13-inch snowstorm, and assures a policy of stage attractions from time to time at the Orpheum.

Seen by agents from Chicago, Cleveland and New York during its opening, the unit has been booked for 12 weeks' consecutive playing time in Minneapolis, Milwaukee, Chicago, Toledo, Columbus, Cincinnati, Akron and Indianapolis. Tom Gorman, veteran of vaudeville with the Albee circuit and now Chicago division manager for RKO theatres, came out to catch the show and stayed for eight shows.

Running 70 minutes, the show still seems short. Outfit seemingly lives up to its title by every word and action. It's all clean fun except for a little purplish comedy that Don Rice, as emcee, injects unsuccessfully. Rice works hard, pacing well from start to finish. He's better as emcee than on comedy, his Roosevelt and Willkie bit is a little dubious.

Jack Powell headlines rightfully; his standard drumming routine is still surefire. Powell handles the drums in the stage band the whole show, making up for his specialty while in the orchestra. With only a skeleton straight orchestra, the featured acts sit in to give a big orchestra effect to the staging. Against an attractive background of gigantic balls and screws, production shows unusual flash and tempo for a fledgling.

Sharing top honors with Powell are the Four Franks, who appeared on the 1940 state fair program. They do some fast tapping, working with trumpets and saxophones for an introduction, the act really gets going when one of the girls starts a screwball dance. From that moment the acrobatic antics and tapping are tops, ending with a riotous version of a 'Gone With the Wind' love scene which left not only the principals but the audience winded. All nifty entertainment.

Al Verdi, 250-pound comedy 'cellist in boy scout uniform; Ted Lester, with his half-dozen cape-concealed musical instruments, and Wilbur Hall with his trick playing of numerous instruments and trick shoes, all con-

(Continued on page 52)

New Acts in Niteries

MIGUELITO VALDEZ
Afro-Cubana Singer
Beachcomber, Miami Beach

Anybody knowing the corny radio setup in Cuba can appreciate the limitations for any new talent asserting itself on the daiquiri kilocycles. That only one or two have stepped out with any degree of importance speaks for itself. One of these is Miguelito Valdez and that was chiefly via his Cuba-waxed recordings (he's made some 400 platters).

Xavier Cugat brought him into the U. S. last spring for the Waldorf-Astoria (N. Y.) and he's still technically only a featured singer with the Cugat orchestra. But, given solo opportunities, as here, Valdez more than adequately holds his own. His handling of the conga drum in Afro-Cubana stuff like 'Barbaru' and 'Blen Blen Blen' makes Desi Arnaz a road company, although the latter has the better personality for Anglican values, of course. Valdez also features 'Zombie,' a specially written tune which ties in the Monte Proser niteries, of which this is one, with this idiom of Latin music.

Even in Cuba, Valdez was given but meagre opportunities when with the La Playa band at the Casino Nacional, but the local radio pickups got him the recording dates. He should do some in America as well. *Abel.*

LINAY ROMAY
Songs
Beachcomber, Miami Beach

Actually part of Xavier Cugat's bandshow, Linay Romay, a brunet looker, with a great chassis and a nifty maracas routine, could step out on her own as a specialist in any cafe. She does so here, but then retires to the band ranks to wield the claves and manipulate the maracas.

For her specialty she does 'Rhumboogie' in English and heralds Carmen Miranda's forthcoming 'Chica Chica Boom' (from 20th's 'They Met in Rio') for her second featured number.

Coupling a deft song style with her arresting front, Linay Romay is a cinch for spot cafe bookings away from Cugat any time. With him she's an undeniable asset to the band. *Abel.*

New Act in Theatre

POWERS MODELS (4)
Songs
14 Mins.
Fay's Theatre, Providence, R. I.

An NBC-John Powers tieup brought three of Powers singing models, Rosalind Madison, Carolyn Cromwell and Katherine Miller, and accompanist Jay Levison into town for seasoning prior to scheduled New York appearances. Gals are well chosen for feminine pulchritude, presenting class plus and voices to back it up.

Their specialty is low key throaty singing which fit in well with numbers spotted at show caught. Slight difficulty beset two of the girls at the opening show because of obvious colds. Rosalind Madison m.c.'s.

Girls harmonize nicely for 'Mary Goes Round on Her Merry-Go-Round' and a new number, 'Panamalita,' by Jay Levison. Katherine Miller's low voice gives a nice lift to 'I Give You My Word,' and Carolyn Cromwell's rendition of 'Yes, My Darling Daughter' is in the groove. *Malo.*

LOOKOUT HOUSE, CINCY, 'UNFAIR', AGVA CLAIMS

Cincinnati, Feb. 4.

Lookout House nitery has been declared unfair by the American Guild of Variety Artists. All members of AGVA have been notified that the night spot has been put on the unfair list and have been told to handle themselves accordingly.

AGVA has been unable to straighten out a couple of situations regarding the Lookout house and what are deemed unfair tactics towards AGVA members.

Chet Hale to Havana

Havana, Feb. 4.

Chester Hale flies tomorrow (Wednesday) to line up a new show for the Gran Casino Nacional, where his Hale girls and an American floorshow have been holding forth. New act alignment may see some changes. Meantime Karen Cooper, songstress, has left the show.

At the Hotel Nacional the management has renewed Gonzalo and Christine for the entire season, through the month of March.

Fort Dix (N. J.) Culling Entertainers Out of Draftees Via 'Espionage' System to Solve Show Problem

By HERB GOLDEN

Fort Dix, N. J., Feb. 4.

Despite the War Department's apparent lack of interest in providing entertainment at the moment, a home-grown, two-hour vaude show here is bringing diversion every evening to as many boys as can crowd into a 450-seat auditorium. And much of it is by professional talent—or at least professional talent before it was conscripted.

Informal staff to handle the nightly shows has been set up and has developed a virtually foolproof dragnet for locating recruits with even a taint of theatrical background or ability. More than 500 soldiers-to-be arrive here every day and each group is given a carefully-planned and triple-checked culling to sniff out entertainment possibilities.

System is so efficient that the potentials are all auditioned within one day of their arrival in camp and appear on the stage that same night, if they meet the specifications of producer Bob Shackleton. A recruit of only three-and-one-half weeks' standing himself, Shackleton is a vocalizing veteran of such Broadway musicals as 'Keep Off the Grass' and 'Very Warm for May.'

In addition to auditioning the prospects and producing the shows, Bob is m.c. and principal warbler. Minus a job and with his draft number perilously close, he volunteered a month ago in the hope of getting just the break he received. He has an informal permanent assignment —minus drill and much of the usual routine—handling the entertainment.

'This is the longest contract I've ever had—a whole year,' the ex-Broadwayite declared.

Shackleton works under Capt. John B. Parker and Sgt. Dave Conway, both of whom are in the Army's recreation division, but in the athletic end. Inasmuch as they discovered quickly after their arrival that fall that there would be no football, baseball, boxing or other teams yet to coach, they drifted into show business and love it.

Variety a Tipoff

Capt. Parker, who had never been closer to Broadway than the Yankee stadium, is now an avid VARIETY reader. Fact is, that's his first check on who from show business is being sent his way. When he reads in VARIETY that an actor or bandsman has been drafted or volunteered, he has one of his aides virtually at the train to meet the guy, he's so anxious to get pro talent.

That's only the beginning, however, of his dragnet. First step for every lad after alighting at the station is to give his name and former occupaton to teletype operator Frank Kline. Quite an amateur magi himself, Kline is called by Capt. Parker his 'talent scout.' Name of everyone who has any show business background is immediately forwarded to the Captain's office.

Second step for all recruits is being interviewed by Army officers, who give them a complete going-over as to vocation, avocation and special abilities—everything from biologist to saxaphone player is listed. Interviewers slip Parker a special list every day of all new soldiers who show possibilities as entertainers. And then the classification officer at the camp tips off Parker the following day if anyone with talent could have conceivably slipped through the carefully-spread web.

Quick Report

Morning following the conscriptees' arrival, Shackleton has a complete list of his possibilities. He has them ordered to the reception area auditorium in the afternoon and begins auditions. Those he likes are in the show put on for the other newcomers that evening.

Ones who meet with special approval of the audiences are noted by Shackleton and Capt. Parker for future reference. Parker has a tacit understanding with the assignment officer that these boys be kind of 'forgotten' about so they can stay in the reception area and aid with the shows, or else be permanently assigned to the company which handles new recruits in the area.

Roundabout method is required because the War Department has made no provision for men to be assigned to the entertainment division, although limited officer personnel has been sent up. Parker's boss in the Army heierarchy is Major Joseph C. Donoghue, post recreation and entertainment officer, who in turn is under Lieut.-Col. Frank E. Bridgetts, corps area morale officers. They have made repeated requests to Washington to be allowed to assign themselves permanent aides and are hoping for success. Fort Dix, incidentally, is understood to be most advanced of any camp receiving recruits in providing entertainment.

Capt. Parker's Show Big Staff

Capt. Parker—who also serves as assistant personnel adjutant here—has in his quiet way lined up quite a little staff. Among its members are Sam Cooke, Negro pianist, who was formerly chauffeur and houseman for Guy Lombardo; Sid Tamber, a Borscht belt comic (the Flagler, in the Catskills); Michael Angelo (he's Agnello in the Army), who formerly sang at Jimmy Kelly's nitery in Greenwich Village and at a flock of other clubs and radio stations; Joe Scandur, who was vocalist in the Broadway musicals, 'Higher and Higher' and 'The Boys from Syracuse'; Sid Ordower, who ran his own repertory company, the Empire Players, in Syracuse; Cliff Goodman, pianist and organist formerly with Jerry Livingstone's orch, and Jason Stewart, Negro tap terper.

Recent discovery among the conscriptees, but a bit too toney to merit holding permanently in the reception area, was Paul Rotella, concert pianist, who performed last year in Town Hall, N. Y.

Shows are limited to the induction center of the camp at present, as the auditorium is the only one completed. However, 13 more just like it are being built and are expected to be ready within a couple months. No provision has been made, however, for entertainment to fill them.

Also building are two 1,000-seat theatres for the main portion of the camp and another 350-seater for the reception area. All will be used for films—the only really advanced phase of the Army's morale program—except when some special entertainment, such as Stage Struike show a couple weeks ago, comes along. Pick of the grade A picture crop, plus a few westerns, are now shown every night in an old World War leftover known as the St. George Club, which will be torn down as soon as the new buildings are completed. Pictures are also shown nightly in a giant—but cold—tent seating 1,000.

Despite the absence of facilities, several units in the camp outside the reception area have managed to string shows together. Best was that of the Bakers' and Cooks' school, where some 150 lads took time off from learnnig how to prepare the Army's chow long enough to exhibit talent at terping, vocalizing and general tomfoolery on an improvised stage.

Chi Actors Fete AGVA Exec Sec Jack Irving

Chicago, Feb. 4.

Unusual was the spontaneous party the performers of Chicago tossed last week for Jack Irving, local rep for the American Guild of Variety Artists, on his fifth wedding anniversary. Some 500 performers crowded into the party rooms at the Sherman hotel on Saturday (1) for the informal shindig.

It was a tribute from these performers to Irving for the manner in which he has revitalized AGVA here. Not only were performers in for the party, but agents, managers and nitery owners showed up to add their personal congratulations.

Chi Frolics Reopening

Chicago, Feb. 4.

Dennis Cooney is readying to reopen his loop Royale Frolics nitery shortly.

Cooney has cleared up his Government obligation with a payment of $55,000.

ANTI-AGVA MEETING

Agents and Actors Unite in Attacking Hoyt Haddock and Org.

A joint meeting of actors and agents was held at Union Church, New York, Thursday evening (30) as a protest against the American Guild of Variety Artists, Principal speakers were two deposed local executive secretaries of AGVA, Phil Irving (N. Y.), and Tom Kelly (Philly), and Hymie Goldstein, president of the Associated Agents of America, a group that has not been franchised by AGVA and which sponsored the meeting. Around 100 attended.

Kelly bitterly attacked AGVA and especially Hoyt Haddock, national executive secretary. He reiterated his charge that Haddock is a Communist, among other things, and then said that a standing committee composed of an actor, an agent, a night club operator and a vaude theatre op could settle all problems coming up between actors and managers.

Irving, surprisingly, made a pro-AGVA speech, but said that the actors should participate more in the union's activities, which is old argument. Goldstein, on the other hand, also attacked AGVA for failure to cooperate with the agents.

According to the circulars sent out by Goldstein's AAA, the initials of which, apparently, also stand for the Actors and Agents of America, the mass meeting was called for the purpose of discussing ways and means of creating more jobs for actors. That was the least important part of the discussion.

AGVA, B&K NEAR CHI CONTRACT

Chicago, Feb. 4.

After several weeks of negotiations between the local office of the American Guild of Variety Artists and Balaban & Katz, it appears that an agreement is ready for signaturing. Tentative agreement was initialed last week, with only two minor details to be worked. There appears to be no doubt that these two items will be ironed out shortly and a full contract put into effect.

This is the first big deal put over by the revitalized AGVA office, with the new broom in the hands of Jack Irving, new exec secretary.

Irving was contacted last week by Charles Hogan, booker for the Warner theatres in this territory, and was informed to have a contract ready for a Warner o.o. within a few days.

After two years of bickering between AGVA and Merriel Abbott of the Palmer House, a final agreement was inked last week for the Empire Room. Empire Room is signatured to a 100% AGVA contract, with none of the acts appearing in that Palmer House nitery permitted to double to other rooms or permitted to give free shows.

AGVA here is also readying to close contracts with Colosimo's and Harry's New Yorker.

SUES CHANDRA-KALY DANCERS FOR COMMISH

Miami, Feb. 4.

Charges that he has never received a promised 25% of the reported $22,527 earned by the Chandra-Kaly dancers in a series of engagements, including two recent appearances in Miami, were outlined in a damage suit filed in Fort Lauderdale by Albert Bouche, operator of Villa Venice.

Bouche claims that the act received $1,350 for two weeks at Ben Marden's Colonial Inn, just across the Broward county line, and $3,160 for 13 weeks at his theatre restaurant in New Jersey, and that he should have received 25% commission called for a contract in which he posted an immigration bond and acted as their manager. The troupe came here from Paris in September, 1939.

Chandra-Kaly's given name is listed in the bill as Paul Marie Serge Guercy, and two femme partners as Madeleine Jeanne Portenier and Odette Marguerite Chevalier.

Fred Hillebrand has planted four numbers with BMI: 'Window Wishing on Fifth Ave.,' 'My Prayers Were Answered,' 'Broken Hearted' and 'We Go Together.' He wrote the words and music for all.

Entertainment Plans for Draftees Progressing; Thomas Watson, Intl. Biz Machines Head, Puts Up $70,000

Plans for the entertainment of men in training for the army are steadily progressing, persons mostly concerned with the movement being civilians. As it is anticipated there will be 140 camps, with an average of 30,000 men under arms in each, entertainment will become an important factor. Indicated now that the type of diversion will be varied at many points.

Most active is a committee led by Thomas Watson, head of International Business Machines. He is said to have already advanced $70,000, some of which is being used in building a recreation hall and theatre in a Southern camp. It is expected that Watson will be reimbursed by the Government. Mrs. Junius Morgan is leader of a sub-committee which has to do with the shows to be presented.

Understood that while no money has been ear-marked by Washington for trainee entertainment, such activity will come under the morale department. Latter will operate with those in charge of routing shows to the various camps. Known that a number of professionals are applying for berths as morale officers. Such assignments call for the rank and pay of an army captain.

Appointments of directors to camps are also being made. Such directors will not be confined to staging shows in which trainees appear, but if possible are to have charge of other diversions for the men. Based on opinions of camp shows presented during the first world war, certain types of bills will be avoided. Vaudeville shows are favored.

While directors will handle shows with trainees in the camps, there is a difference of opinion about professional shows which are to be booked in. Committee people are discussing whether it is better for such shows to play on the camp grounds, or in nearby villages. Those favoring the latter idea figure that a goodly percentage of the men will prefer to leave the grounds and, if shows are offered in the towns, such trainees would be diverted from taverns and dance halls for at least part of the time.

Robert E. Sherwood was appointed to handle the drama division, and despite his many activities, including the work on the Committee to Defend America, went to Camp Dix, N.J., for a conference with officers in charge. He was taken ill and returned home with influenza.

Vauder Hurt, Wants 50G

Los Angeles, Feb. 4.

Eddie Medley (and Dupree), filed suit for $50,000 against the Yost theatre, Santa Ana, Cal., claiming he was struck by a counterweight backstage and deprived of a season's work.

Defendants are Louis and Anna Kaplan, owners of the theatre, and Louis Klein, manager.

JAFFE QUITS AS COUNSEL FOR AGVA

Henry Jaffe has resigned as counsel for the American Guild of Variety Artists, on the basis that the huge amount of AGVA routine matters interferes with his other law practice. Jaffe is counsel for the American Federation of Radio Artists and the American Guild of Musical Artists, like AGVA, affiliated with the Associated Actors and Artistes of America.

In his resignation to the new executive committee of AGVA, Jaffe stated that he would act as counsel for the variety actors' union in any important matters that come up in the future, but wanted to be relieved of the routine matters. This was accepted. Mildred Roth, who was formerly a clerk in the office of Paul Turner, Equity's counsel, continues as AGVA's office lawyer and will handle the routine work. In the future she'll refer to Turner, who is on the executive committee of AGVA, instead of Jaffe.

In the past week, the executive committee is said to have cleaned up all the matters that had accumulated the past few months. It's now expected that the body, composed of AGVA and Four A's reps, will act on a reorganization of AGVA.

AGVA last week also won its first victory for an actor in an arbitration by the Joint Standing Committee composed of Artists Representatives Assn. reps and AGVA appointees. Joe Roth, a performer, won a verdict over Lew Weiss, ARA agent, in his complaint that he had been summarily cancelled after playing two days of a two-week booking at the Chez Maurice, Montreal. Weiss, who booked Roth, was ordered to pay Roth the balance of two weeks' salary, less commissions.

Mpls. Blue-Nose Draws 1-Yr. Prison Sentence

Minneapolis, Feb. 4.

Instead of receiving probation, as anticipated, the Rev. H. J. Soltau, vice crusading pastor and head of the Law Enforcement League, responsible for the clamping down of an air-tight lid here and in other Minnesota communities, was sentenced to one year in Stillwater prison for perjury in connection with his activities. He was granted a 40-day stay to permit a motion for a new trial.

Prosecutor W. G. Compton, who previously had said he would recommend leniency, made no recommendation to the court. Instead, he read a statement into the record regarding 'misstatements of facts and slanderous references' to the court by two persons in this community.' The two persons referred to were other ministers who have blasted away at the authorities, the court and 'organized vice' here from their pulpits and in the newspapers.

Several of the Rev. Soltau's investigators have been involved in extortion charges and more indictments are pending against the Rev. Soltau himself.

Satchmouth to Oriental

Chicago, Feb. 4.

Louis Armstrong's orch has been set as the headliner at the Oriental for week of Feb. 14.

Joe Glaser was in town last week to sct the deal.

THEATRE OPS' CO-OP VAUDE BOOKING ASS'N

New cooperative vaude booking venture by a number of independent theatre owners was chartered in Albany last week. It's to be a non-profit membership organization and will be known as the National Theatre Owners Assn., Inc.

Activities in booking acts will not be limited to New York, but extend all over the country, Walter M. Solomon, attorney for the group, declared Monday (3). He said the organization will also handle publicity.

Solomon refused to name the principals 'for a week or so' or give any further info on NTOA's aims.

Carlisle Leaves Bowery, Det., After 3½ Years

Detroit, Feb. 4.

After hanging up something of an endurance record as an m.c. at the Bowery here, huge Hamtramck nitery which goes the year around, Charlie Carlisle pulled out on Feb. 2. He had worked in the spot for three and a half years.

He opens at Harry's New York Bar, Chicago, Thursday (6).

Eve Turner With Merriel Abbott

Chicago, Feb. 4.

Eve Turner has become associated with Merriel Abbott, talent booker and producer for the Empire Room, Palmer House.

Miss Turner will be club booker out of the Merriel Abbott office and will have exclusive right to handle the Abbott Line for club appearances.

Heyday Two-a-Day

By William Kerry Halligan

Hollywood, Feb 4.

I have just spent $3.50 and the best part of two lonely nights wading through a tome labeled 'American Vaudeville—Its Life and Times'. It is well padded with stock stories of Lillian Russell, Sarah Bernhardt and Will Hodge. Mr. Douglas Gilbert must have used up a lot of energy digging up data on the hey-dey of the two-a-day. If he didn't get down to the heart of variety it's because he didn't know anything about it.

However, you don't have to know a subject to write about it. (I'm telling Mr. Gilbert?) I remember a book called 'The Great Mouthpiece'. It was an episodic biography of Bill Fallon, the New York criminal lawyer. Gene Fowler was the author. Fowler had never met Fallon. As a matter of fact Fallon was dead when the book was written (but Gene dug up a lot of gags and the book was a big success). Very few people know about 'Trumpet In the Dust' and 'Shoe the Wild Mare,' two great books by the same author. Fowler crashed Hollywood on the strength of 'The Great Mouthpiece'.

What I mean to say is that you do not have to know a subject in order to write a book about it. One of the greatest war stories ever written, 'The Red Badge of Courage,' was the work of Stephen Crane, who never saw a battle in his life.

I wish I had had the chance to talk to Mr. Gilbert before he wrote the vaudeville book because I feel that he has overlooked a lot of great performers who deserve a place in the two-a-day tablet of achievement. Just for the record I want to mention a few whom Mr. Gilbert overlooked.

Let's start off with the one-act plays. They were better known as sketches. One of the best I ever saw was 'Massa Covington,' by George Ade, played by the great minstrel, George Thatcher. Another one played by William Farnum called 'The Mallet's Masterpiece,' by Edward Peple (author of 'The Squaw Man'). The old timers will all remember Bertha Kalich in 'The Light of St. Agnes' and Ethel Barrymore in 'The Five-Pound Look,' a classic by Sir James Barrie. Remember Edmund Hawley in 'The Bandit,' Julius Steger in the 'Fifth Commandment,' Arnold Daly in 'S. Jay Kaufman's 'Kisses,' and a great one-acter with William H. Thompson and Tom Ince? Then there was 'The Valiant,' with Bert Lytell, and Belasco's 'Drums of Oude'. To write of vaudeville and omit these great dramatic moments is rank heresy.

In my day the team of Smith and Campbell were considered the greatest two-man talking act in vaudeville. They are not in the book, nor are the McNaughtons, Clark and Verdi, Matthews and Ashley, Hoey and Lee, Haynes and Vidoq, Cameron and Flanigan, Ford West and Foster Ball, Aveling and Lloyd, or Rockwell and Fox—all sock two-men acts.

Greatest Singing Single

Why overlook the greatest singing single I ever saw? Who? Why Mrs Marvin Gumble herself, better known as Clarice Vance. And why not mention Edna Aug, Lillian Shaw, Elizabeth Murray, Emma Carus, Josephine Sable, Helena Mora, Imogene Comer, Clarice Mayne, Stella Mayhew, Bessie Wynn and a gal named Effie Fay, 'The Belle of Avenue A'. These ladies all deserve a spot in the vaudeville Hall of Fame. And what about Grace LaRue?

I recall a great male impersonator, Miss Johnstone Bennett, in a little offering called 'Quiet Evening at Home'. She was merely a sensation. And a female impersonator named Harry LeCross, who used to sing about 'Those Amateurs Making Him Sick'.

Mr. Gilbert doesn't go back to the days of Hall's Casino in Chicago where I saw Banks Winters and Billy Van, two of the best exponents of burnt cork I ever saw. Neither does he seem to remember another Chicago music hall called W. S. Cleveland's. It was there I saw for the first time Mable Hite and Walter Jones, and Carter DeHaven and Flora Parker. Cleveland opened the place as a stock company later and had Jack Barrymore for a leading man. I hate to blame Mr. Gilbert for forgetting the Nichols sisters, the Elmore sisters,' Cameron sisters, Irwin sisters and Dolly sisters with Harry Richman at the piano, and that's not so long ago at that.

The Great Single Men

What about the old-time single men. Pardon me while I get my beard out of the portable. Did you ever hear of Frank Fogarty, James Richmond Glenroy (the Man With the Green Gloves), George Beban, Walter Brower, Harry Breen, Bert Levy, Albert Whalen, Tascott, George Austin Moore, Willie Weston, Bobby North, Henry Lewis, Lew Hawkins, Harry Thompson (the Mayor of the Bowery), Clifton Crawford, Jimmy Hussey, Jack Rose, Britt Wood and Al Herman—all smash next to closing acts indeed.

What about the married couples ignored in the book: Mr. and Mrs. Perkins Fischer, Mr. and Mrs. Gardner Crane, Mr. and Mrs. Gene Hughes, and Mr. and Mrs. Jimmy Barry. Standard two-a-dayers, all of them.

Can we ever forget our dancers? Ryan and Lee, Boyle and Brazil, Miller and Mack, Doyle and Dixon, the Four Fords, and Ida May Chadwick. And what about Dick Lynch, Barney Fagan, McKay and Cantwell, and Milt Wood? Yeah, what about them? They were tops.

Top Comedy Acts

We had a lot of great comedy acts in the old days. Too bad they are not here today to show some of the screen and radio comics what a real comedian looks like. My favorite was Clayton, White and Marie Stuart. Then there was Tom Nawn in 'Pat and the Genie,' Foy and Clark in 'The Spring of Life,' Willard Simms in 'The Paper Hanger,' Clark and Hamilton, Louis Simons in 'The New Coachman,' Ed Hayes in 'The Piano Movers,' Roger Imhoff (Imhoff, Conn and Corinne), Bert Baker, Lewis McCord and Co. in the first bare stage act I ever saw; Willard and Murphy in a 'School of Acting,' Claude and Fanny Usher, Sidney Dean in 'Xmas on Blackwells Island'. Stay after school, Mr. Gilbert.

What about the Great Paulino, Bogany's Lunatic Bakers, Will H. Fox in the first comedy piano act, 'The Pianophiends' (Miss Hildegarde came out of that one), Mike Bernard, Billy Taylor and Melville Ellis and Charley Olcott. He played the piano also.

Can you write a book of vaudeville and leave out the greatest coin manipulator who ever lived—Mr. Nelson T. Downs—or the wizardry of Nate Leipzig, or the never-to-be-forgotten Ching Ling Foo troupe?

Opera Stars

What about the opera stars first found on a variety stage? Orville Harold, Dorothy Jardon, the Ponselle sisters? Yes, and Martin Beck turned down a gal named Galli Curci, who tried out for him one cold morning on the Palace stage.

Then the mind-reading acts, Harry Kahanne, Mercedes, the Sharrocks, and the lightning calculator Fujiyama. Do you recall the great protean actor Henri DuVries, and the quick change artist Hymack, and of all people Owen McGiveney? Last, but not least, Cole and Johnson, Ernest Hogan ('On Emancipation Day'), Jones, Grant and Jones, and Aida Overton Walker. Dodson wasn't bad, and the Kemps were a smash. Let's not forget the Dilion brothers, the Mueller brothers, McCue and Cahill, and Joe Maxwell with the illustrated songs.

Acrobats and Balancers

Then the acrobats and balancers: Caron and Herbert, the Wartenberg brothers, the Flying Martins, Willie Panzer, Welch Mealey and Montrose, the Bellclaire brothers, Mosher, Hayes and Mosher on the bikes, the Mowatts and their hoops.

There is just one line in the book about the Friars, the greatest rendezvous for cutting up touches vaudeville ever knew, and Shanley and Furnes, the 50-50 combination on the Coast. They should be in. And of all names forgotten, Joe Woods should be the first to be remembered. He made the small time around New York until Keith and Beck took it away and delegated Dan Hennessy to watch over the finishing school for the greatest talent ever to appear in any man's theatre.

I have probably forgotten a lot of great acts, but I am writing from memory and memory is a tricky thing at best. If I go much further I will be writing a book and that's something I will never do. Everybody is writing a book.

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Benefit for British Relief

Continued from page 2

ner, Edna Best and other English performers were promient participants. Coward, who virtually directed the whole show, made a stirring address in which he said that appearance of the English actors was small repayment for what America had done for Britain in the past, especially the kind treatment of British performers in the U. S.

There will be a drive for membership in the Theatre Wing, which in the past year had been centering its efforts on making clothes and garments for civilian sufferers over there. Relief efforts will be much more extended. During the first World War the Stage Women War Relief raised $7,000,000 in aid of Allies.

Gilbert Miller Heads It

The Wing expanded some months ago when a showmen's division was added. Gilbert Miller is chairman of the executive board, committee consisting of Brooks Atkinson, Eddie Dowling, Vinton Freedley, Sam H. Harris, George S. Kaufman, Raymond Massey, Brock Pemberton, Max Gordon, Arthur Richman, Lee Shubert, B. G. DeSylva, Walter Vincent and John C. Wilson. Officers of the women's division of the Wing are Rachel Crothers, Miss Lawrence, Helen Hayes, Tyra Allen, Antoinette Perry, Mildred Morris and Josephine Hull.

Wing has moved its headquarters from Rockefeller Plaza to 730 Fifth avenue, where the British War Relief Society is located. The Wing lists the following ahievements thus far: 2,000 members enrolled; 35,000 garments made; 415 cases of supplies; four ambulances; four rolling canteens; 4,000 pounds of coffee, $4,000 to Lord Mayor's fund; $1,714 for children's shelters; $1,500 for blankets; $1,158 for powdered milk; $1,100 for children's cots; $1,300 for hospital bed equipment; $1,000 for British Actors orphanage fund.

Wing has made an appeal to all actor-artist union members to participate either with donations, membership or duty in the workrooms.

Ansacs' Personals

Australian theatrical personalities in New York will make their first appearance tomorrow (Thursday) on 'Friendship Bridge,' the Anglo-British series aired in the U. S. by WMCA, New York, and short-waved internationally by WRUL, Boston. Marjorie Lawrence, Metropolitan Opera prima donna, will top the all-Ansac show which will include the first public performance of a new song, 'Thumbs Up,' composed by Dorothy Stewart, U. S. representative of Australian-New Zealand Theatres.

Besides Misses Lawrence and Stewart, the cast will include John Dudley, Met tenor; Robert Chisholm, musical comedy baritone; Wilson Ewart, radio baritone; Nola Luxford, actress; Winifred Muir, and Sir Clutha MacKenzie, New Zealander blinded in the last war. Elsie Mackie will read her original poem, 'To Hitler's Ghost.' Miss Stewart's anthem, 'God Bless Australia,' will also be sung on the show, which is aimed for those in London's air raid shelters and for the Ansac troops in Africa.

Lolly Parsons

Continued from page 1

construed as tantamount to an evasion of this rule and is to be treated as a violation of the rule. American Federation of Radio Artists national board has adopted a resolution endorsing the Guild's position on the 'free talent' issue, and at its meeting tomorrow (Thursday) will adopt a similar regulation.

Guild stated that it intends to enforce its rule No. 6 and has advised all members whose contracts do not require free performances to refuse to appear on commercial programs of the proposed Parsons type. Even in case of contracts requiring free radio performances, the Guild believes, the actor should vigorously protest against appearing on sponsored 'free talent' shows. Following, in part, is a letter on the subject which has been sent to all SAG members:

'Question of 'free talent' radio shows has again become an important issue to screen and radio actors. A widely-known columnist has approached the Guild seeking approval of plan for new radio program on which the columnist would provide screen actors. Program would be sponsored commercially for profit. The Guild board has refused to approve this program and it instructs its members to refuse to appear, unless such refusal jeopardizes their contractual relationships with their employing producers.

'While the columnist conducting this program plans to make some payment to the actors for their services (at least the AFRA minimum), the payment would be far below the usual standard of compensation for these actors. Further, the total amount paid by the sponsor for the program probably would be far less than the usual value of the actors appearing on the program. On such programs it would be possible, for example, to pay the columnist $1,500 a week for providing actors whose services are worth $10,000 a week. Such situation is far different from the Gulf-Screen Guild radio show. This commercial production pays $10,000 a week for actors' talent, maintaining wage scales. Actors, at their own volition, donate this amount to the Motion Picture Relief Fund.

'If one columnist succeeds in presenting a 'free talent' show, other columnists certainly will expect the same consideration from actors. Such practice depresses standard of pay for actors appearing in radio.'

Unit Reviews

Continued from page 50

SCREWBALLS OF 1941

tribute 'screws.' The show may be overboard on trick musical stuff, but it makes up for that on the comedy.

Actually, there isn't any good music and there's no singing. However, the line of 10 Eve Ross girls leaves nothing to be desired in the way of looks, youth, costumes and routines. The gals do a neat job and could even be spotted more freqently in the big show to good advantage. The finale with the entire company of 39 is effective and leaves the customer feeling he's witnessed a production. *Moorhead.*

STUDIO SCANDALS

(BROADWAY, CHARLOTTE)

Charlotte, N. C., Jan. 11.

Edison and Louise, Three Youman Bros., Evelyn Willard and Babs Flannery, Six DeCardos, Three Limberettes, Radio Jesters, Bob Moore Band (5), Mitzi Bruggen's Lucky Girls (8); 'Mexican Spitfire Out West' (RKO).

'Studio Scandals,' a well-rounded unit of standard acts, is one of best troupes to show locally this season.

Group opens at a fast pace, which it maintains most of the way. DeCardos, acrobatic act, starts it off with clever and fast-moving routine, hopping in and out of barrels. At one point the stage and air literally is full of figures catapulting and somersaulting into barrels with expert precision. One of best acts of its type ever caught here.

Followed by the Radio Jesters, impersonators, who blow hot and cold. Although act is presented with showmanship and much humor, some of the impersonations miss fire. Impersonations include F.D.R., Amos 'n' Andy, Hitler, Mussolini and Charles Laughton.

Edison and Louise, vaude vets, are pleasing in a standard comedy turn featuring Playboy, pooch. Highlight is a 'Jumpin' Jive' number featuring the wirehair. Comedy is so-so. The Three Youman Bros. step down from the band to wow the audience with their band takeoffs and jivitations in their own right. The combo includes clarinet, accordion and violin. They impersonate Artie Shaw, Wayne King, Kay Kyser and others. Thi is solid, presented with lots of showmanship and made big hit with this house.

Evelyn Willard and Babs Flannery, two nifty hoofers, score nicely in dancing turn, the former doing an acrobatic terp and the latter a toe tap. The girls appear later among the Three Limberettes in an impressive and artistically executed Indian dance.

Mitzi Bruggen's Lucky Girls (8) are by far the best line to appear here this season. Girls, all strong on looks, performed with neat timing and exceptional grace in three standard appearances. They close the show with a patriotic tap, in military costumes. The band, playing from stage, backs up show nicely and is above average to appear here.

Good biz on all shows. *Just.*

ICE FOLLIES' DRAWS BIG $70,000 IN MONT'L

Montreal, Feb. 4.

'Ice Follies of 1941,' here for four days and one matinee, Jan. 30-Feb. 2, played to turnaway biz each of the four nights at $2.85 top. Forum seats 9,600, with standees raising capacity to 11,000.

Gross ran to estimated $70,000.

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ASSEMBLYMAN PLANS EQUAL RIGHTS LAW

Albany, Feb. 4.

Assemblyman Daniel L. Burrows, Negro, representing the 19th District of New York County, has introduced, and plans to push vigorously for action on, a bill amending the penal law to require that places of accommodation, amusement or resort or for the sale of food, beverages, etc., thereon, make available to all persons full and equal accommodations, advantages and privileges,, subject to conditions applicable alike to all persons. Failure to do so would be punishable by suspension or revocation of license, after proof had been presented before licensing authority. A person who either of his own account or as an agent, officer or employee of any corporation or individual violates the law would be guilty of a misdemeanor punishable by fine of not less than $50 and not more than $500.

Measure would become effective Sept. 1.

Philly Dancer Asks $5,000 For Nude Pix 'Misrepping' Burley Stripper's Booking

Philadelphia, Feb. 4.

Sandra Lydell, local dancer, filed suit in Common Pleas court here Friday (31) asking $5,000 damages from the Fay's theatre for allegedly using pictures of her in the nude to advertise the appearance of tassle-dancer Reggie White.

Miss Lydell said she was sent by her agent to the Fay's last March and was interviewed by Sid Stanley, Fay's manager. He offered her a job on the spot but she had to turn the engagement down because she was booked elsewhere at the moment. Stanley then asked her to leave eight photographs 'in the nude and semi nude,' she said, promising to return them if she didn't go to work at the theatre.

Miss Lydell claims that copies of the pictures of her in the nltogether were projected from the Fay's screen during the week of last Dec. 26 to advertise the appearance of Tasble-dancer White the following sesh. The 5 G's, she asks, she said, would pay for the injury to her professional reputation as a dancer, for 'embarrasment and great humiliation' caused her.

Judge James C. Crumlish issued a temporary injunction restraining the defendants from 'copying, transcribing or using in any manner' the photos until Friday (7), when the court will review the case.

Named as defendants with Stanley are Eddie Sherman, booker and president of the Sena Amusement Co., operator of Fay's; Sam Stiefel, secretary, and Allen Heldcraft, treasurer.

G. B. Shaw Burns

Continued from page 1

is the fear that the short will kick back and do the cause of Britain in this country much more harm than good. Shaw, in the picture, speaks right to the audience and suggests that American boys helped England dig its way successfully out of the last war and should do the same thing now. It's by far the most direct hint that's come out of Britain asking for American manpowcr.

UA execs and Pascal's reps in this country have been pondering and worrying about the briefe ever since its arrival. They have had innumerable American laymen, newspapermen, and film men in to look at it and give an opinion. Consensus pretty well was that England would be better off were it withheld—at least at this time.

Pascal thinks differently and was vehement on the subject yesterday (Tuesday). He said he was 'greatly offended' that the words of 'the world's greatest thinker' being kept from America. Film was okayed by the British Information division, the British War Dept. and all manner of officialdom, Pascal said, who must have been pretty sure they were right before they let anything like that come to the U. S.

Eight-minute pic was tossed off extemporaneously by Shaw while Pascal was filming his 'Major Barbara' at Denham studios outside of London.

Pascal brought a print of 'Barbara' with him on the boat from Lisbon. It will be released in the U. S. in about two months. It was completed about Dec. 1, but transportation difficulties made it impossible for Pascal to get here sooner, the producer asserted. While awaiting to get out of London, he prepared an American version in accordance with suggestions on the script from the Hays office.

John Dored

Continued from page 3

pore and by boat to the west coast. A Lithuanian by birth, he is wanted by the Russian military now in control there, by the Nazis because of films he shot in Poland—hence the 'no country' tag.

While military experts were trying to decide if Hitler's supposed Polish invasion was a bluff or the real thing, Dored packed his camera equipment and hopped to Warsaw. Result was that his films were the first back to the U. S. on the German invasion and sacking of Warsaw. Par's camera expert had laid his plans so well Paramount was able to get the clips to N. Y. a full week ahead of rival reels. Dored also was on hand to record the Russian sweep into Latvia and Lithuania and captured the films on Stalin's drive into Finland. He escaped from the country only a few hours ahead of the invading army when it triumphed over the Finns.

In the Spanish civil war Franco's forces captured the Par cameraman and jailed him at Seville. Loyalist guards caught at the same time met instant death but after two months in a military prison cell, Arthur Menken, another Paramount war correspondent, and H. R. Knickerbocker, Hearst correspondent, interceded with the American consul to gain his release.

Saranac Lake

By Happy Benway

Saranac Lake, Feb. 4.

Out-of-town comebacks who are doing oke: Nate C. Bolton, formerly of the musical act of Massey and Bolton, is topping good reports in Amarillo, Tex., and wants to hear from friends. Address him at 1210 11th street in that town. Paul Welch, who made the grade here, is now at the East Gate hotel, Chicago. Tommy Abbott, ex N.V.A.-ite, selling eggs and chickens in Boston. Ford Raymond is sapping up a mess of sun in Los Angeles after 10-years up here. Fred Dion, who spent four years in bed here, is now leading his own orch in Fall River, Mass. James Paul, ex-vaudeville single, is now running a newsstand in Atlanta, Ga. Henry (Hank) Hearn, is now ending his second successful year with United Artists in Charlotte, N. C. William Headley served five years here and is now a nitery manager in Scranton, Pa. Eddie Ross (Four Carlton Boys), who mastered three major operations here, is doing mighty well with his N. Y. eat shop. Joseph Vaughey, ex-Shubert p.a., manager of a Denver department store.

Between her famous character sketches Cornelia Otis Skinner took time out to ogle and mitt the ozoning gang of the Colony and hello-ed John Eaton, who worked with the late Otis Skinner.

Thanks to Bryce Lavign and his orchestra for donating his time and men toward the welfare of the Actors Colony, the Aid-to-British-Party and ditto to President Roosevelt's Birthday Ball.

Among those who wanted to get well and did get well during the past two years are Joe Dabrowski, Edith Lemlich, Murray Friedman, Myra Fox Willing, Vera Hanlon, Melvin Fox, Eddie Ross, Elmina Fuller, Lillian Kohler, Lilly Davidson, Rose Clark, Buddy Emmett, Jules Z. Willing, Garry L. Sitgreaves, Joe Parker, Teddy Hedwell, Fred Schrader, Milton Reich, Sylvia Abbott, Butch Wilbur, Jamie Grandi, Marie Bianchi, Helcp Morrisey, Teddy Stewart, Peggy McCarthy, Paul Welch, Henry Hearn, Cliff Heather, Marie Froom, Jack D'Agostino, Fred Esslinger, Kitty Horan, Maxine Miller, Bina West Rogers, Herbert Carlson, John Edwards, Minna Morse, Michael Schultz, Henry Wunsch, Roy Nunley, Alfred Boerner and Joseph McCarty.

The passing of Dan Foster, local postmaster, has cast a cloud over the Colony. He was for years a local amateur show producer, musician and one of the first citizens that promoted the development of this Actors Colony in 1917.

Pat Spears, who used to eater to the ailing artist, limping around with a crutch. Horse stepped on his foot.

Patricia Wallace high-balled to the French hospital, N. Y., for an o.o. Two-year ozoner has made nifty progress up here.

Charles Rose, assistant manager to George Abbott, here o.o.ing Anna Mae Tesslow, who was in 'Too Many Girls.'

Dick Tyler, who once did a top roller skating act, is here getting an o.o. Living at 27 Main street.

Write to those who are ill.

FISCHER TO SURVEY S. A. PRIOR TO 'FOLIES' TOUR

Clifford C. Fischer sails Friday (7) on the S.S. Brazil with his wife on a preliminary survey of Rio de Janeiro, Buenos Aires and other South American theatres where his 'Folies Bergeres' unit will play starting in May. The troupe number 65, including 35 girls, and featured acts such as Senor Wences, Rio Bros., Gloria Gilbert, Red Donohue, 3 Martels and Mignon, Myrtil and Paco, et al., will follow him later.

Georges Boronski, who worked in the Paris agency for Clifford Fischer-Henry Lartigue, but has been headquartered in Rio de Janeiro the past year, lined up the theatres for the 'Folies' tour. They will be variety and legit houses, but an occasional casino booking may be added.

Fischer also has a number of American dance bands set for South American tours. He'll consummate the deals when he gets there.

The veteran showman looks to S.A. as a new and yet to be developed show field for American talent, and plans concentrating his efforts there for some time to come, or at least until he's able to return to his home in Paris. He's been repatriated to America the past year, concentrating on his 'Folies' starting with the Frisco Expo dates last spring.

Gerrits Plans Suit vs. Lew Parker, Charging Infringement of Sketch

Parr Sues Dancer

Jack Parr, agent, filed suit Friday (31) in the N.Y. federal court against Sally Keith, dancer, seeking damages of $12,600 for alleged breach of a managerial contract, commissions due and monies loaned. Parr claims to have coached, advised and promoted the dancer for the past three years and to have signed a five-year managerial contract with her April 1, 1940, at 15% of her income.

Since April 1 she has earned $8,000, it is claimed, leaving $1,200 due in commissions. She breached the agreement recently and $6,000 is sought as commissions which would have been earned. Lastly, it is claimed by Parr that he loaned her $5,400 from April, 1937, to Jan. 1, 1941, for costumes, exploitation and living expenses which has not been returned.

Philly EMA Deals Out Tom Kelly By Official AGVA OK

Philadelphia, Feb. 4.

The American Guild of Variety Artists' Philly local got another lift Sunday (2) when the Entertainment Managers Assn., representing virtually all the bookers, officially granted the union recognition. At a meeting at the Walton hotel, the percenters passed a resolution promising 'cooperation' with AGVA in dealing with performers.

EMA's action was a bitter blow to Thomas E. Kelly, biz agent for the United Entertainers Assn., indie actors' union which had been fighting AGVA for recognition in the variety field. Kelly had recently sent out a nationwide appeal for performers to set up an independent union, devoid of ties with the Associated Actors & Artistes of America.

Three weeks ago Richard Mayo, recently appointed local exec for AGVA signed contracts with seven niteries. With the EMA behind him, it is expected Mayo will be able to get agreements with many of the other spots shortly.

One of the prime reasons for the EMA's recognition of AGVA was a letter sent last week by Frank Burch, secretary of the Central Labor Union, to Jack Maser, EMA president, certifying AGVA as the 'only recognized actors' representative' in Philadelphia. Kelly had been proclaiming that his indie union was the recognized actors' organization.

With EMA endorsement, it is believed that Mayo will wean back into the union fold many of the members who dropped out when Kelly was bounced as AGVA local executive secretary last August.

Paul Gerrits, the skating comedian, is threatening an infringement suit against Lew Parker, fly comic current at Loew's State, N. Y. Gerrits claims that Parker has snatched virtually the entire sketch, 'Neurosis,' written by Virginia Faulkner, which he did in Leonard Sillman's late and lamented 'All in Fun' revue and which Gerrits bought from Miss Faulkner following the show's closing.

Registered letters were sent Friday (31) to Parker, the Loew's State management and Loew's booking office stating that part of Parker's act was an infringement on Gerrits' material, and that action would be brought under the copyright laws. Letters went out over the signature of Mike Vallon (Goldfarb, Merenburg & Vallon), Gerrits' attorney.

This is the first copy-act action brought by one vaudevillian against another in a long time, but, as Gerrits points out, Parker is not only copping a valuable portion of his act, but lifting something for which Gerrits paid a high price. Miss Faulkner originally wrote 'Neurosis' for Joe Cook, then Bobby Clark and finally for Jerry Lester, when it appeared that the latter would go into 'Fun.' Instead, Pert Kelton was handed the material in the show, but she turned it down and Gerrits was assigned to the comedy bit. It was subsequently rewritten with Gerrits' help by Miss Faulkner.

When Parker, at Gerrits' request, refused to drop the bit, Gerrits had a stenographer make a transcript of Parker's act. Comparison with Gerrits' material, according to the skating comedian, indicates a very close copy with only slight change of wordage.

According to copyright law, the infringement penalty is $250 maximum per performance. At a four-show per day basis, as at Loew's State, Parker or the theatre, or both, would be liable at the rate of as much as $1,000 a day should Gerrits win in court.

GEORGE WOOD'S 'PEACE' WITH WM. MORRIS AGCY.

Now that George Wood is representing a number of William Morris acts booked into the local niteries, he likes to tell of his 'peace' with the Morris office, thanks to Abe Lastfogel via Johnny Hyde. It entailed a blanket $1,500 check for previous bookings, brought about when Hyde wrote Wood and the latter retorted he wasn't given a square deal on previous arrangements. When Lastfogel, g.m. of the Morris office, read the details he told Hyde and Wood both that the latter seemed justified and ordered the check paid pronto.

Now Wood is repping a number of Morris office acts in collaboration rather than competition.

NEW YORK'S NEW ACE COMEDIAN

JACKIE GLEASON

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Thanks, Gentlemen of the Press, for those swell mentions

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DANTON WALKER, N. Y. Daily News
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LOUIS SOBOL, N. Y. Eve. Journal
LEONARD LYONS, N. Y. Post

VARIETY, Dec. 25, 1940:
Jackie Gleason, ex-Club 18, emerges as a facile cafe-funster, as evidenced by his work at Leon & Eddie's, N. Y.

THE BILLBOARD, Jan. 11, 1941, Possibilities for Legit—Musical:
JACKIE GLEASON—young emsee-comedian now Leon & Eddie's, New York nite-club, after a long run at the near-by Club 18. Has been working night spots and vaude around New York for the past few years, and is now coming into his own, developing into a confident, fast, aggressive, thoroly likable comedian . . . surprising results . . . very funny.

Personal Mgt.: FRED LAMB Legit: HARRY BESTRY

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BOBBY LANE AND EDNA WARD

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PARAMOUNT, NEW YORK

And

"CRAZY WITH THE HEAT"

44th STREET, NEW YORK

(Booked by KEN LATER)

Management—HERMAN CITRON

Yanks' Grab of Cuban Talent Forces Cuba's Importation of American Acts

By ABEL GREEN

Havana, Jan. 25.

Ernesto Smith, who, despite his surname, is an authentic Cuban, is the No. 1 exhibitor here, and has been agitating for a comeback of vaudfilm. Idea is to force U. S. film rentals down, create new employment for Cuban talent and, in general, possibly effect a resurrection of stage shows. However, as many of the topflight niteries and hotels in Havana have since found out, it's too difficult to book the local spots already in existence without adding to the problem. Reason for this is that as soon as anything worthwhile clicks in Cuba, either the U. S. or the other Latin-American countries gobble it up.

It's for that reason, for example, that the big league hotels like the Hotel Nacional and the gaming casinos must import American talent, although that's not considered a wise idea in view of the fact that the tourists come to Cuba in search of congrarhumba talent. The sad truth of the matter is that there is more worthwhile Afro-Cubana talent around New York, Miami and other key cities than in the entire republic.

The freak of this particular show at the Alkazar, operated by Smith, is its frank commercial tieup with La Cadena Crusellas, which gets program billing as 'presenting' Tito Guizar in tieup with Crusellas' Jabon Candado (soap), which also manufactures the Cuban version of Palmolive. Candado is the washing soap which gives an idea of the humble mass appeal that Guizar must cater to.

He got $5,000 for two weeks, in exchange for which he did two commercials daily on CMQ and COCQ for Candado soap, besides personaling at the Teatro Alkazar. Here he got 70% of the gross, fantastic 'Gone With the Wind' terms, to be sure, but actually not much in money and, besides, it's considered a great hypo for this otherwise secondary vaudfilmer, which plays Monogram duals and the like.

Guizar, however, proved quite a local wow. The unusual of having the kids throw their autograph albums on the rostrum—yes, they have autograph hounds here also—and then clamber on the stage to besiege the singer, are deemed quite a personal tribute to any star's popularity. It doesn't happen too often.

Guizar, who is well known in the U. S. through his radio buildup, feeds 'em surefires, in Spanish, of course, such as 'South of the Border,' 'Rancho Grande,' etc., and whams 'em. He dresses nattily in tropical tux and uses his self-guitar accomp only toward the end for the more romantic serenades.

Cuban Jive

The Riverside Orchestra (12) is an odd native combo which, while known in South and Central America, and also locally, is quite 52d street in its Cuban jive. It's strong on swing, and seemingly has well assimilated bounceapation. Four brass, three reeds, string bass, piano, drums and guitar make for an exceedingly torrid crew in this basically torrid clime. The pianist is especially in the groove, and make believe these daiquiri dolls and daddies don't dig solid-Jackson music. An exceptionally good combo is the Mexican Trio, a very photogenic gal, her brother and another man, with unusual native Mexican dances, of peasant and ranchero genre. They double into the local Tropicana, new outdoor nitery, under same management as the established Eden Concert, downtown nitery around the corner from Sloppy Joe's. Senor Correa took over an estate in Matanzes, away from downtown Havana, which for two years was the home of the U. S. Embassy; that gives an idea of the attractive Tropicana locale. Now an outdoor patio setting the Eden show doubles into the Tropicana, with exception of the Mexican Trio which, because of its current Alkazar booking, only doubles into the one joint. Act has been at the N. Y. World's Fair, also at El Chico, Havana-Madrid and La Conga in New York, but is better than ever and ripe for a smart nitery like the Rainbow Room, N. Y., the Waldorf-Astoria, where Antonio and Rosario did so well, or the Martinique. They hail from El Patio, Mexico City.

Stuart OK for Locals

Doing a specialty with the band is Norman Stuart, nee Selby when he was with Paul Whiteman. Stuart is a versatile gent, doing a hot song, a hot horn specialty and also a neat acro-dance, all of which, being of Yankee idiom, makes it extra good for the locals who are more than favorably inclined to anything American.

But the main lure was Guizar and he's of a calibre that is rare either here or at the other major vaudfilmer on the Prado (main street), the Teatro Nacional. Unlike the Nacional, the Alkazar, while charmingly decorated on its interior, resembling a Spanish street scene, it's a forbidding exterior, with a very drab lobby that would shame any 8th avenue (N.Y.) indie exhib. They don't go for the Roxy tinsel in the lobbies, that goes, too, for the homes, which, however, on the inside are usually colorful with inviting patios, greenery, etc., but you'd never know it from the outside.

Another mistake Ernesto Smith, and perhaps all downtown Havana exhibs, makes is stepping down the sound on films. Theory is that they read the Spanish subtitles and don't savvy the Anglais anyway, but, surprisingly, many natives know English, and, of course, the tourist Americans rate some consideration, since they don't jive the Espagnol, yet can't read the subtitles. Furthermore, both Americanos and Cubanas are trying to learn a new language more than ever nowadays.

Two shows a day, 'matinee' at 6 p. m. and the second show at 9:30.

SHEA'S, BUFFALO

Buffalo, Jan. 31.

Phil Spitalny Orch with Evelyn, Vivian, Mary McLanahan, Three Little Words, Johnnie Coy, June Lorraine, Maxine, Singing Strings; 'Four Mothers' (WB).

As if there were any room for argument, Phil Spitalny is again demonstrating that his 'Hour of Charm' all-girl orch is still the leading gal band. Here is one orch presentation that's off the beaten path and which, in talent, costuming and general decor, offers something different for jaded pictureshow palates, aided considerably by Spitalny's smart showmanship.

For his current visit, maestro is employing 22 instrumentalists, a seven-violin section, two pianos, three cornets, three sax-clarinets, tromb, tuba, harp, xylophone, guitar, bass and drums. Mary McLanahan is on the skins and does a job which many male beaters may well envy. The girls are simply gowned and the distinctive femininity of the offering is highlight for the most effective results.

Opening with 'In the Mood,' band slips into an original drum concerto in the boogie-woogie idiom, giving Miss McClanahan an opportunity to pound out a slick mess of drum rhythm. 'Tennessee Fish Fry' introduces a new vocalist, who, like her now retired predecessor, is also named Maxine. She is a smart-looking brunet who gets the most out of her solo and choral work with the Glee Club and Three Little Words.

Johnnie Coy, the only male member of the act besides Spitalny, offers an intricate tap routine, fitting well into the proceedings. Band's 'Bolero,' which follows, is neatly done, segued by Evelyn's nifty violining of 'Breeze and I,' straight and with variations, and 'Never Smile Again,' backed by the Singing Strings, violin section. She rates a special bow also for her novel and striking arrangements.

Comedy of Three Little Words is questionable, particularly the corny hokum. On the melody side, however, their efforts are more acceptable, especially 'Tavern in the Town' and their encore trick-title medley. June Lorraine clicks with her impersonations of Charles Laughton and Edward G. Robinson and her finale of the '1001 Nights,' a la Hepburn and Durante, is uproarious.

Vivian holds down the closing spot, a peak of the performance. Aside from her highly personable appearance, striking blonde has a superlative soprano. Does the 'Bell Song' from 'Lakme' in facile fashion and closes the preceedings with a smash rendition of 'God Bless America,' the Glee Club, instrumentalists, special backdrop and even the audience joining.

Big b.o. at opening day's (31) supper show. *Burton.*

ORPHEUM, MPLS.

Minneapolis, Jan. 31.

Joe Venuti Orch (14), Don Darcy, Ruth Barnes, Kay Starr, Barrett Deems, Three Stooges, Andrews Sisters (3); 'Second Chorus' (Par).

This show is loaded with both boxoffice and entertainment dynamite. The Andrews Sisters, topping the array, in themselves are probably all that any doctor would wish to prescribe for b.o. ills; however, they're bulwarked by Joe Venuti's orchestra and the Three Stooges. Then there are Fred Astaire, Paulette Goddard, Artie Shaw's band, Burgess Meredith and Charlie Butterworth on the screen.

With the Andrews Sisters, Venuti's boys and Kay Starr swinging out on all cylinders, the jive addicts enjoy a Roman holiday. Venuti emcees, conducts and fiddles, being okay in every capacity. He has a plenty torrid swing outfit, with effective arrangements and enough novelty, the gang playing the show briskly and well. If Venuti would dress the boys in uniforms and outfit them, too, with bandstands, they'd be even more impressive from the visual standpoint.

Show is generally well paced. 'Free Wheeling,' Venuti's own composition, is a scorching starter. Fine pipes, looks and okay diction enhance Don Darcy, vocalist, who scores with a couple of pop numbers, finishing strongly with impressions of Bing Crosby, Kate Smith and Guy Lombardo doing 'Oh, Johnny.'

Ruth Barnes, cute trick in striking blue and silver garb that includes tightfitting trousers, contributes some unusual and difficult tapping her one-foot routines and endurance stirring plenty of response out front. 'A Musical Cocktail' is a novelty band number, permitting brief soloing by the various musicians.

Show is tied up in knots early by Miss Starr, aces as a swing songstress. Her animated and expressive selling of 'Five O'Clock Whistle,' 'My Blue Heaven' and 'I Cry Over You' left the customers begging for more. Then Barrett Deems, the torrid drummer, has an inning, pounding away effectively with the sticks on a chair.

The Three Stooges haven't gone to the expense or trouble to build an act. But they're the only comedy on the bill. They work lackadaisically and briefly, depending mainly on the slapstick stuff for fairly good laughs.

It's no trick at all for the Andrews Sisters, localites, to follow the Stooges. They received warm welcome from the outset and generated by far the greatest audience enthusiasm of any act on the bill. Their nifty harmony makes such numbers as 'Ferryboat Serenade,' 'Beat Me Daddy,' 'Rhumboogie' and 'Apple Blossom Time' a real experience for those whose tastes run to swing vocalizing. They're great show closers, with the customers unable to get enough and plenty noisy in their efforts to bring the gals back for more.

A well-filled lower floor at the second afternoon performance opening day. *Rees.*

STATE-LAKE, CHI

Chicago, Feb. 1.

Burnett & Parks (3), Jackie Heller, Merle, Duval and Lee, Sid Tomack and Reis Bros. (3), Sally Rand, Dorothy Hild Girls (16), Walter Davidson and House Orch; 'Legion of Glory' (Col).

Sally Rand is back again at the scene of her original triumphs, and despite the passage of a few years, she continues to wield a powerful wand over the wicket. Week has gotten away to a fat start and indicates one of the best money sessions here in a long while.

Miss Rand remains a glamorous item for the showgoers and currently is holding them at attention while she comes up with the fan and bubble dances. Little has changed in either of these two numbers, and there is no reason for any change, because Miss Rand has routined them to the hilt. A change of note is the replacement of the song 'In The Shadows,' with which the Rand fan dance was identified for so long. She can come back here repeatedly and be assured of boxoffice response.

Also well-liked is Jackie Heller, the little guy with a big voice. He m.c.'s this show and handles the assignment niftily. Delivers solidly on the tonsils, too. Has a varied vocal routine that was highly pleasing to this mob.

Opening are acrobatic Burnett and Parks. Two men and a girl start with some fine skating and wind up with hand-to-hand work and tumbling. Girl has a tumbling specialty in which she comes through with a highly skilled routine that's standout because of the precision and finesse. With more of a buildup, her specialty can assume greater importance. Two men are also excellent with their hand-to-hand work and especially click with their work on a hand-pole, the top-mounter doing some fine spins. Act is basically a topflight acrobatic turn and with proper dressing and handling can go far.

When they finally decide upon a routine, Sid Tomack and the Reis Bros. are going to be a walloping comedy trio. As they stand now they indicate inherent ability, but they are still wandering around without a real plan of comedy attack. They have some neat little comedy songs and some good clowning, but they need some identifying routine, and they can really go from there. Duval, Merle and Lee halted the proceedings with their laugh-getting burlesque on ballroom dancing. Have a flock of laughs for the mob throughout and finish with some neat, straight adagio which had this audience asking for more.

Dorothy Hild line is on three times and turns in capable routines. It's on in opening production for Sally Rand and sets the stage nicely for the fan and bubble headliner.

Business excellent at the supper show Saturday (1). *Gold.*

STATE, N. Y.

James Barton, Kitty Carlisle, Dixie Dunbar with Four Rhythmettes, Frank Paris, Knight Sisters (2), Lew Parker with Sid Gold, Ruby Zwerling Orch; 'Comrade X' (M-G).

It's old home-week at the State for legit expatriates. There are three of them, topped by James Barton, who, however, long before the days of 'Tobacco Road,' was a vet vaudevillian. Others are Kitty Carlisle, last seen on Broadway in 'Walk With Music,' and Dixie Dunbar, who was in 'Yokel Boy.' All three, incidentally, have done film work. With two other acts and m.c. Lew Parker reigning the proceedings, the combination adds up to a fairly entertaining session.

Barton, to at least part of the audience who've seen his turn countless times, must turn out to be a bore—although paradoxically it's the audience's own fault. He's forced by shouts from the house to do exactly the same things he's been doing for years—'The Mad Dog,' 'Annabelle Lee' and the others. With a tremendous repertoire to draw from, Barton himself must be weary of the lengthy routine of the drunk bitten by the imaginary pooch. He would do well to avoid it unless absolutely forced into it—as he is here. Otherwise he's as sock an entertainer as ever, and that goes for his nifty tap terps and warbling of 'Annabelle Lee.'

Throaty contralto Kitty Carlisle clicks well on the more operatic-type of stuff, only so-so on the pops. That's evident from 'Ferryboat Serenade,' with which she tees off, and a light operatic medley which is No. 2. 'There'll Always Be an England,' with which she winds up, is interesting, has appeal and is well done. She's quite a looker in low-necked scarlet couturiering.

Giving Dixie Dunbar a quartet of tall guys in tails as tapstering background is an excellent idea that makes her appearance a heap sight more of an event than were she a single, although there can be no complaint about Miss Dunbar's top rank as either a terper or an eye-appealer. Boys, billed as Four Rhythmettes, work in nifty precision with the tiny hoofer and their conga line finale with her is a pip.

Frank Paris and his marionets have become pretty much standard. Paris continues to work in full view of the audience, dressing completely in black, however, against a dark stage with the dolls spotlighted. There are still Sonja Henie, skating around at the end of Paris's strings for excellent results, and the rhumba dancer. Two new figurines are also introduced: One, the ostrich from Walt Disney's 'Fantasia,' is weak, while a jitterbug dancer is one of the best.

Parker is the average well-grounded introducer, handling the buildups well and keeping the performance moving expediently. He adds a bit on his own hook—idiosyncracies of restaurant diners—which is much like a Paul Gerrits turn. Parker carries with him a stooge, Sid Gold, who works with a quartet of musicians from Ruby Zwerling's house band (they're on the stage) in a mild comedy bit.

Knight Sisters, attractive duo, open the presentation with acro-terping that wins approval of the house. Also garner laughs in a hunk of tomfoolery with Parker in which they balance on his thighs. It makes for a pleasing getaway.

House well filled when caught. *Herb.*

MICHIGAN, DETROIT

Detroit, Feb. 2.

'Folies Bergere' with Gloria Gilbert, Martels and Mignon, Red Donahue and Uno, Karin Zoska, Senor Wences, Carr Brothers; 'Son of Monte Cristo' (UA).

Since the Shuberts were in last fall with their short-lived operettas, the lower-priced trade here hasn't had as much lush scenery, gals and costumes tossed at them as in the Michigan's current tab revue, wrapped around conventional vaudeville acts. Stage shows in the picture houses here have been running to bands and acts working on pit stages; present show, sinking back into full stage and providing all the trimmings, is being well received.

Male trade running heavy for this bill, full of lookers in the line and among the showgirls, plus lavish sets. Drew nice response here on the production numbers, particularly the undersea and ballet sets.

Karin Zoska does her Russian sit-down strike dancing, well enough received, but she disappoints on encore. Following are Red Donahue and his mule, garnering a few laughs with their familiar routine.

After the elaborate under-the-sea number, Senor Wences, with his ventriloquist turn and his juggling neatly combined, goes over. Extremely well received were Gloria Gilbert, with her swift toe dancing spins; Martels and Mignon, with their daring adagio tossing, and the Carr Bros. with their burlesque acros.

Standing in lobby at 8 p.m. show caught Sunday (2). *Pool.*

PARAMOUNT, N. Y.

Glenn Miller Orch, The Modernaires, Dorothy Claire, Ray Eberle, Dean Murphy, Cass Daley, Lane and Ward, Don Baker at the organ; 'Virginia' (Par), reviewed in VARIETY, Jan. 15.

A delight of the jitteroos, Glenn Miller is back here for the third time and again has 'em dancing in the aisles. Trombonist, seemingly not the kind of fellow who warms much to his audience, may have a screwy arrangement in 'Anvil Chorus' and some of the rest of his wacky, taxi-horn swing may not be to everybody's taste but majority of the mobs attracted here go for it, as attested by the big morning crowds.

Miller, recently at the Cafe Rouge of the Pennsylvania hotel, features two numbers—'Anvil Chorus' and 'Tuxedo Junction.' Arrangement of the former is so far afield from 'Anvil Chorus' as originally composed that it could be called anything else and the Miller band would get away with it. On 'Tuxedo' the 16-piece orchestra digs deep to break down the resistance of the jitterbugs, being a sure-shot thing to produce hand-clapping in jungle time.

Miller carries with him Dorothy Claire and Ray Eberle, soloists, plus the Modernaires, a harmony quartet. On early, Modernaires do a number, then wait for Miss Claire to feature a couple, returning downstage to work a third with her, 'La Cucaracha,' which gets over nicely. Miss Claire, novelty swing singer, is anything but a strong entry. Her voice is so low she's almost a whisper.

Eberle, by contrast, has a very appealing softly-toned melodic voice, but he doesn't put much selling effort into his work. He's almost immobile all the way. 'Nightingale Sang in Berkeley Square,' through the surefire value of his voice and that of the song, gets him a quick following, however. He winds up with 'Somebody Else,' done with the Modernaires.

Sock of the show is the dynamic Cass Daley, who has also worked this house before. Robust songs in a thoroughly novel manner are what Miss Daley dispenses, making faces as she goes along and contorting her body into comical poses for effect. The way she shows those teeth every now and then adds a lot to her unique style. Pictures should be able to use this fine entertainer.

Added potency is lent by Dean Murphy, impersonations, and Lane and Ward, novelty acro dance combination. Latter pair have been here before; they opened Thursday night (30) in 'Crazy With the Heat,' doubling from that show for this engagement. A great little act. Murphy also has played this house previously. He is doing a flock of impressions, very good being his President Roosevelt. One of Arliss, who's been out of the spotlight a long time, is dated. ZaSu Pitts also has been overdone.

Business very strong on all shows but heavier in the morning, with management having decided after the opening day to hold for three weeks. *Char.*

EARLE, WASH.

Washington, D. C., Jan. 31.

The Stapletons (2), Fred Sanborn, Roxyettes, and Jo Lombardi Pit Orch; 'Virginia' (Par).

Because of the big doings and confusion surrounding the President's Birthday Ball here, house production ist Harry Anger comes up with a short revue this week, depending on the Technicolor 'Virginia' to carry the load.

Revue ought to be titled 'All Out for Britain.' Pit orchestra gets the show under way with 'Pomp and Circumstance,' going into lengthy arrangement of 'There Always Be An England,' with Gene Archer vocalling. Then travelers show shallow drop of No. 10 Downing street. Single linegal comes out to announce presentation of line's 'Americanized' version of the 'English Johnny,' precision dance made famous by the Eight Tiller Girls from London. Line comes out in tophats and tails for routine. Same line has done easier version here previously, and the number always gets excellent hand. This one is more intricate and represents a real accomplishment.

Linegals fade back for entrance of the Stapletons, guy and gal in evening dress who go into straight ballroom routine for good hand. Then four of the line out in white shorts to introduce stooge and Fred Sanborn, xylophonist with excellent magiclangag sideline that goes over. He's little short guy with amiable puss that keeps natrons chuckling while he goes through two fast numbers on the instrument.

After he's off linegals come on for most effective routine seen here in weeks. All the gals are in black, from head to foot, with luminescent painting helping their figures and formation on the dark stage. They work in four, eights, and finally whole line. Weird effect had the customers sitting on seat-edges and brought down the house.

Biz SRO at show caught.

EARLE, PHILLY

Philadelphia, Jan. 31.

'Streets of Paris' unit with 'Think-a-Drink' Hoffman, Sid Marion and Cliff Hall, Hylton Sisters, Frank and Jean Hubert; Ernesto and Talia, Petch and Deauville, Anne Crosley, Don Richards, Peggy Alexander Line (22); Lou Schrader's House Band (18); 'Keeping Company' (M-G).

This is a tabloid and cleaned-up version of a show that played the legiter, Forrest, last February at $1-$2-$3. Although its big names, Bobby Clark, Abbott and Costello, Carmen Miranda, and others are among the missing, it's nevertheless a good buy at 68c top, especially with a picture to boot.

Standout is 'Think-A-Drink' Hoffman and his mystifying liquid-producing outfit—a holdover from the original production. Hoffman draws the bulk of the plaudits in his next-to-closing slot, whipping up everything from a milk-shake to a daquirri stinger out of apparently empty containers. The drinks are called out by the aud and passed to the caller-out by a couple of gal stooges. It's clicko all around.

The show follows the usual musical comedy motif rather than the vaude pattern, with the scenes supposedly laid in Paree (pre-war vintage). Acts are introed on screen. Then the chorines are shown in their dressing rooms, chattering, dolling up until curtain is called and they file off.

Sid Marion and Cliff Hall tee off with a comedy act laid on a pier in France. They've got the Abbott-Costello parts. It's standard burley stuff. The Hylton Sisters, in chic checkered costumes, come on with opening vocal, 'Three Little Girls in Paree.' Anne Crosly and Don Richards, youthful, goodlooking pair, duet a couple of tunes from the original production. They're followed by the excellent tap duo of Petch and Deauville.

Marion and Hall fill in at this point with another familiar burlesque stage routine—the shell game. It's good corn and goes over fairly well.

Rating next to Hoffman, however, in the palm-pounding is the drunk act of the Huberts. They slap each other around to a fare-thee-well, but it's rib-tickling. Payoff is when Jean removes her wig and shows she's a gal.

Revue is wrapped up, Marion and Hall going through the rest-cure routine in the burley technique. There's shooting, and screwy patients running all over the place, while nurses and doctors bounce in and out.

A couple of Frenchy routines by the line (15 gals, seven guys) and the inevitable conga by the entire company fill out the 60-minute stage show.

It's a novelty for this vaudfilmer, and lots for comparatively little money. Costumes are okay, but entire production could be speeded up. Biz at opening show was fair.

Shal.

LYRIC, INDPLS.

Indianapolis, Jan. 31.

Gray Gordon Orch, Meredith Blake, Art Perry, Chet Bruce, Five Elgins, Dancing Co-Eds (2), Bud Harris and Co., Kitty Murray, Tipton Trio; 'Meet the Missus' (Rep).

From the waxing studios to the stage of the Lyric theatre, Gray Gordon this week moves his four rhythm, three-trumpet, three-trombone and four saxophone sections to be met with a hearty reception by those who listen to his tunes on the jukeboxes and spin them at home. The band is well-balanced, with arrangements accenting melody without overworking any one section.

Open with 'Blue Skies,' then the Brass Choir, consisting of three trombones and four trumpets, step down front to do 'Berkeley Square,' followed by a skin session from Lee Harris, who beats the percussions violently. Through the bill, orch specialties are 'Scarf Dance,' 'I Am An American' closing, with military scenes projected on a scrim.

Meredith Blake, femme vocalist with band, is cute and sells 'Rhumboogie,' 'Ferryboat Serenade' and 'Yankee Doodle Polka.' Male songster is Art Perry who contributes 'Only Forever,' 'Frenesi' and 'There I Go.' Chet Bruce steps down from the brass section to sing 'Keep An Eye On Your Heart.' Audience at show caught labeled band's part of bill as okay with plenty mitt approval. Also in the music division this week is the Tipton Trio, winner of the WFBM 'Talent Parade,' who appear in nice looking pastel dresses and harmonize 'Nearness of You' to good hand.

Dancing Co-eds (2) mix taps with acro dancing and are in their proper element working in front of a band. Definitely not in the right place (next-to-closing) are Bud Harris and Co., colored man and woman who try for comedy attempts with time-worn vaude patter. They stretch it so thin that some customers failed to wait for the finish. That was a mistake, for the closer act has Kitty Murray, hefty colored hoofer, who gets plenty of laughs with her eccentric footwork. Five Elgins are standard act, having played house often, and they're solid with hat and Indian club juggling. Three men and two women work expertly with the kellys and woods for salvo at finish.

Bill runs 67 minutes, length being accentuated because of the 12 minutes consumed by the Harris act. Biz fair at third show Friday (31), opening day.

Kiley.

CAPITOL, ATLANTA

Atlanta, Feb. 1.

Pat and Willa LeVola, Madame DeBarrie's 'Birds in Toyland,' Carl Thorson, Clifton and Woods, 10 Charmettes, Elaine Arden, Annette, 'The Saint at Palm Springs' (RKO).

This unit sports three neat class acts, evenly spaced at opening, middle and closing. In between are layers of mediocrity, but the unit moves briskly from start to end.

Ten Charmettes are brief and ragged on opening curtain, too brief to be counted as opener. Madame DeBarrie's 'Birds in Toyland' make the audience remember hands are good for something else besides lifting cawn bread and grits. The birds are white Australian cockatoos and they combine smooth hep with comedy. Never a lull in this routine as birds pull wagons, fire miniature cannon, goose-step to martial music and push toy baby carriages. No patter between until 'Mike,' smartest of cockatoos, is brought out front for his own act. Bird is uncanny at arithmetic, ringing a bell to indicate his findings.

Elaine Arden's two songs don't click. Nice personality, too much makeup, a trifle out of range. Carl Thorson, jesting juggler, goes over. Patter is good but juggling of different-sized objects is better.

Annette's passable dance in front of the Charmettes could be better with a smoother combo doing the music. Costume change doesn't improve things.

Clifton and Woods have patter that's definitely dated. He opens with a trick bass fiddle stint. Red and green sock gag doesn't click (red for applause, green to stop). None the less, pair of obvious veterans do have an appeal and a promise which is never quite fulfilled. New patter and routining might do the trick. Clifton nicely m.c.s for the whole unit.

Pat and Willa LeVola never miss in their slack wire stint. His witticisms are keen, aided by the western drawl. Casually performs a six-foot leap from the floor to the slack wire, balances on ladder which sways on the slack wire while Pat balances vase on head, swings ring with left foot and juggles three Indian clubs with hands.

Entire running time, 57 minutes.

Jim.

PARAMOUNT, L. A.

Los Angeles, Jan. 30.

Dinah Shore, Cliff Nazarro, Carl Hoff Orch, Fanchonettes, 'You're the One' (Par) and 'Victory' (Par).

Taking advantage of several radio names in its new screen feature, 'You're the One,' Paramount this week is presenting a stage show labeled 'Radio Follies.' Principal claim to title lies in fact that raids were made on ether programs for talent, Dinah Shore, from the Eddie Cantor show, tops, with Cliff Nazarro, from various programs, and Carl Hoff and his orch, from the Al Pearce outfit, making up the rest of the talent portion, with the house Fanchonettes on for three unusually good flashes.

Miss Shore packs a load of personality and puts over four numbers, ranging from outright swing to the more classical type. Scored decisively. Gal has everything it takes to sell and keeps the show moving at a reasonably fast tempo. Her repertoire at opening stanza today (Thursday) comprised 'Down Argentine Way,' 'I Hear a Rhapsody,' an outright jazz number, and, for an encore, 'Yes, My Darling Daughter.' The audience expressed its approbation in no uncertain terms.

Nazarro, he of the double-talk routine, registered solidly. He opens with some confidential info to his auditors, followed with his well-known piano stunt and then branches into his famous double-talk. By way of diversion Nazarro sings a number, 'I'll Remember,' with the patter in his familiar lingo, all of which made a decided hit with the pay customers.

Hoff band numbers 17 players and is particularly well suited for entertaining devotees of jazz and swing. He introduces several members of his organization in solos and ensembles, a trumpet number scoring. Four of the bandmen, all strings, do a number but only a avid follower of the current musical trend could appreciate it. Suffice to say the audience did.

Fanchonettes open the show with an Indian routine. Later, following Miss Shore, they offer their interpretation of 'Rhapsody' with a dance, and close the proceedings with a lively Scotch routine. Show as a whole is fast-moving and a diversion from the straight band shows the house has offered lately. *Edwa.*

20TH CENTURY, BUFF

Buffalo, Jan. 31.

Vincent Lopez Orch (15) with Anne Barrett, Sonny Skyler, Pearl Robbins, Arnaut Bros.; 'One Crowded Hour' (RKO).

A fine presentation for those with long memories, and one certainly satisfactory for youngsters, too.

There's always something nostalgic in Lopez's too infrequent returns to Buffalo. Here was one of the places where he first took root as a musician, banging away in all-night sessions at the ivories in Nate Fenton's Pekin, and before that at the old Alamo. Now he is a veteran, with the rollcall of his successful proteges plenty large. Currently utilizing small screen upon which he projects and introduces the band names (with their theme songs) who got their start under his aegis.

Lopez aggregation dispenses solid melody mostly, with only an occasional bow toward jive pyrotechnics. Following a telling arrangement of 'Dark Eyes,' Pearl Robbins is on with a neatly executed, whirlwind toe-tap. Sonny Skyler caresses 'Frenesi' in a smooth tenor, followed by an ear-easy 'Our Love Affair' and encoring with his own 'Don't Cry.' Group's concession to jive is 'Beat Me Daddy,' which it does in bang-up fashion, and in which Buddy Spangler registers sockeroo at the drums.

Anne Barrett, a songstress with a Betty Hutton delivery, heats up the crowd for about the best returns of the performance with her vivacious, zaney manner. Whams out 'Turn Out the Lights,' 'Ferryboat Serenade' and 'Are You Listenin'.'

Arnaut Bros., working straight and sans their perennial clown makeup, prove high spots. Whether the act gains anything in the transition to tuxes is questionable, but their routine is funny enough in any guise. Their standard whistling-birds finale is, as always, riotous.

The maestro next-to-closes with neat ivorying. His showmanly technique must be recognized by even the most unsophisticated of his listeners. The applause is the payoff.

Attendance extremely thin opening show Friday (31). *Burton.*

EMBASSY, N. Y.

(NEWSREELS)

Foreign material dominates the new show here, with considerable in the war column, both abroad and on defense at home, including Lindbergh testifying before the House Foreign Affairs Committee. At the performance caught he was given a hand.

From the other side clips include Winston Churchill reviewing an American home guard unit in England; King Haakon looking over Norwegian sailors with the British fleet; Princess Frederique visiting a Greek military hospital; preparations of Britain against threatened all-out Nazi blitz; the fall of Bardia; Greece mourning Premier Metaxas; Harry Hopkins in London; Nazi prisoners of war; and excellent shots of action in the Mediterranean with bombs dropping close to a British ship.

In addition to lend-lease debate in Washington, local stuff embraces arrival of Lord Halifax; delivery of bags of dimes at Washington in the infantile paralysis campaign; that $1,000,000 error in a check at Carver, Mass.; snowstorm in the Sierras; display of items in the Hearst art collection that has been placed on sale; probing of a plane crash and the usual sports routine, plus fashion clips.

Instead of the customary shorts, house this week has March of Time's 'Labor and Defense—1941.' It gets M. of T. once monthly, following the Music Hall with the series.

In toto, a generally unexciting bill.

Char.

TOWER, K. C.

Kansas City, Feb. 3.

DeMay, Moore and Martin, Emily Darrell, The Three Cards, Lester Harding, Harold Ahlstrom and Ken West, Herb Six House Orch, House Line (8); 'Bank Dick' (U).

'In the Money,' as the opening musical line number, gives an idea of what the producers hoped for when this one was put together and tagged 'Prosperity Parade.' After sitting through the 38 minutes the customer doesn't quite get that much of an impression, but the show is built along the standard lines here and is regulation calibre.

The Card family, acrobatic turn of two guys and gal, get the initial spot to feature teeterboard work, all of which centers around the various members twirling into a barrel. It's exacting work and carried off snappily. Amateur niche of the week is filled by Ahlstrom and West in a harmonica duo, two being nifty on 'Dark Eyes' and 'Dinah' and could easily be made into a good standard act. Line specialty is a fencing routine done to 'March of the Operas' and continues the trend of these gals to contribute something extra.

Singing m.c. Lester Harding turns his song-selling baritone on 'Frenesi' in a semi-dramatic version which draws out the applause and calls up an encore on 'Remember.' Harding then brings on Emily Darrell to fill the next-to-closing spot with a barrage of laughs. Laugh spectacle is her toy bull pup, Annie, whose antics in pink drawers with a pair of yellow, clumpy shoes on her rear paws set the house to roaring. It's great fun as far as Annie is concerned and the house took it the same way.

DeMay and Martin with Sally Moore, in a ballroom dancing travesty, wind up the regular acts. Their knockabout comedy, while done with skill, is only a titter compared to the belly laughs generated by Annie's guileless and willing clomping. Show is finished with the girls on for a brief modern kick number.

Biz is up, with the W. C. Fields pic the major lure. *Quin.*

Hearst Sale

Continued from page 3

ond and 10,000 the third. Public viewing Monday saw 25,000 traipsing up and down aisles gasping at fabulous price tags on strange articles which even Hearst himself probably couldn't identify.

Load of showmanship and circusing has been put into the sale. Slick press-agency has filled the New York dailies, the picture mags and the wire services for more than a week with thousands of words and loads of art on the show; there's a letter writing contest for clubwomen on 'What I would most like to have out of the exhibit and why,' and it has been lighted with thousands of dollars worth of baby spots and gelatines by Feder, whose tricky work has emblazoned many a Broadway show.

Sale is being held to furbish the Hearst coffers with cash derived from the myriad objets d'art, trinkets and whatnot that have lain in warehouses in the Bronx for years. Hammer Galleries, N. Y., was handed the assignment to peddle the stuff on commission. It decided, however, its layout wasn't big enough and called on Gimbel's for help. They split the commish.

$11,000,000 Insurance

Total value of the stuff now on the floor can perhaps best be judged by the insurance—$11,000,000—split among eight companies. **That's only** a small portion, however, of what's in the five-story Bronx warehouse which takes up an **entire block**, and its annex. **Stuff already** moved downtown **is said** not even to have made a dent. **Sale will be on for** at least two **months and as things** are sold **they'll be replaced from** the warehouses. **Hearst**, incidentally, has **five more similar** warehouses in **Los Angeles.**

How Hammer **placed values** on objects which **it is** obviously impossible to value **is apparently** a secret, too. **Amusing**, however, are the department **store prices**. Not **$25,000**, but **$24,995** or **$99,495**.

Screwy stuff **no end is on sale** most of which **Hearst himself** has never seen. He had **agents all** over the world and merely ordered them to buy and ship to **his** warehouse when he heard of **something** he wanted. Permanent **staff** of **30** curators has been at work for years in the Bronx cataloging the trinkets, which include 70 complete medieval rooms, into 504 categories. Picture of each acquisition was taken and filed into loose-leaf volumes (there are 300 of them) so the Sultan of San Simeon could finger through whenever he had the desire for a look-see at his possessions.

Spanish Monastery $50,000

What the crowd seems to consider the wackiest chunk of something or other is a Spanish monastery (complete) which can be had for $50,000. It cost the publisher at least 10 times that much because he had to not only build the monks who were living in it a replacement, but had to have special roads and a special railroad constructed to get it to the sea for shipment to America. It arrived in 14,000 carefully-numbered crates which have reposed in the Bronx warehouse ever since.

Other curios include a silver ring in which mashed potatoes were supposed to be placed ($379); a mayor's mace of Boston, Lincolnshire, England ($1,693); Spanish dishes of the 15th century ($2,495 each set); set of 34 16th century plates ($127,450), plus all sorts of armor, beds, chests, clocks, doors, molding, silver ornaments, church fixtures, stained glass, firearms, paintings, autographs, rare books, plaques and just about everything else in the world for which nobody but a museum would have any conceivable use.

Flock of show business names have already been down to Gimbels to look things over and buy, among them Maurice Evans, Gertrude Lawrence, Major Edward Bowes, Ganna Walska and Raymond Massey.

APOLLO, N. Y.

Blanche Calloway Orch (12), Cats and Fiddle (4), Sporteo, Spic and Span, Mary Lewis Dancers (18), Richard Huey and Blue Moaners Quartet, Sammy Theard, George Wiltshire, Vivian Harris; 'Who Killed Aunt Maggie?' (Rep).

This is a pretty poor layout for the Apollo. Headed by Blanche Calloway's mediocre band and the Cats and Fiddle quartet, it runs approximately 80 minutes with little happening. Combination of Miss Calloway and the Cats' jive four is based on fact neither group is strong enough in name or draw to go it alone.

Calloway combination of four sax, three trumpet, one trombone and three rhythm in some places is almost amateurish, dispelling any thoughts that poor arrangements could be responsible. Writings are badly worked out, practically all in a sizzling vein and played under the beat of a rhythm section that's anything but steady.

Miss Calloway's vocals are, like the band, loud and unappealing. She switches gowns during offstage trips, in the vein of other femme leaders. Occasionally she uses her brother Cab's style of batoning, tossing herself about in grooved terps, etc.

Cats and Fiddle four are okay, but hardly anything to excite. Consisting of three guitars of different types and a bass twanger, the four are strong on rhythmic instrumental arrangements, but reverse that impression when they begin adding vocals. In harmony or humming backgrounds to the tall soloist, the group fails.

Footwork of Spic and Span, tap duo, is okay. Two work well together. Their first try is weak due to n.s.g. routining, but the second is neatly executed. Pair work around two chairs in the second, winding up tapping from sitting positions.

Sporteo, a lone comic working in one, is a skidder. His time onstage is short, and rightly so. He contributes nothing but a string of rhymed comments on topical events, winding up in a rather blue vocal version of 'Ma, He's Making Eyes At Me.'

Richard Huey and the Blue Moaners quartet are spotted in the opening dance skit labeled the 'Sheep and Goats Club.' Work consists of spirituals. It's strictly Harlem in purpose and impact. Mary Lewis dancers are better than the usual house line, but still unprecise. Line is composed of 12 girls and six boys.

Other comedy this week is negligible. Amounts to one short skit handled by Sammy Theard and straights George Wiltshire and Vivian Harris. It presents the usual so-so buildup to a weak blackout.

Biz poor. *Wood.*

BROAD, COLUMBUS

Columbus, Feb. 2.

Ted Weems Orch (14) with Perry Como, Marilyn Thorne, Elmo Tanner and Red Ingle; Gene Sheldon with Loretta Fischer; Mardoni, Dennett and Dae; Abram Ruvinski House Orch; 'Maisie Was a Lady' (M-G).

For its first stage bill in nearly 18 months the Broad has made an excellent choice. Layout headed by Ted Weems and Co. couldn't be more to the liking of local theatregoers.

One of the finest band units to play here in recent years, Weems prefers to remain in the background while leading a highly entertaining 60 minutes. Snappy, mirth-packed revue garnered plenty of laughs and applause at this catching.

Local boy, Gene Sheldon, master of pantomime, is standout. In its essence act (with Loretta Fischer) is same as ever, changes, such as they may be, being almost negligible. And, as always, a solid click.

Using a curtailed combo, Weems wisely sticks mostly to the individual soloists. Baritone Perry Como, long a fave here before his present association, sold nicely with 'Trade Winds,' 'Only Forever' and 'Maybe.' Whistler Elmo Tanner is featured in 'Ciri Biri Bin,' highspot of which is a chorus in harmony with two clarinets, and a tricky version of 'Glowworm,' worm coming to life via many vari-colored flashlights. Red Ingle clicks with his old hillbilly number, sto-s show with a 'ventriloquist' turn, assisted offstage by Tanner.

Marilyn Thorne, new vocalist, keeps in the groove with 'Ferryboat Serenade,' 'Beat Me With a Boogie Beat' and 'Five O'Clock Whistle.' Blonde looker (only 18) sells deep-throatedly and with a little more stage poise will be fighting Como for the closing spot.

Dance team of Dennett and Dae is a honey. In addition to clever taps they intersperse a drumming routine a la Jack Powell. Mardoni presents three magic tricks used over and over here, but still manages to sell due to his handling.

Biz excellent at show caught.

Starr.

Variety Bills

THIS WEEK (Jan. 31)
NEXT WEEK (Feb. 7)

Numerals in connection with bills below indicate opening day of show, whether full or split week

Loew

NEW YORK CITY
State (6)
Johnny McGee Orc
Del Rios
Eunice Healey
Joan Merrill
Diamond Bros

WASHINGTON
Capitol (7)
Rhythm Rockets
Vivian Faye
Brown & Ames
Kanazawa Tr
Joe Howard

Paramount

NEW YORK CITY
Paramount (5)
Glenn Miller Orc
Dean Murphy
Cass Daley
Lane & Ward
CHICAGO
Chicago (7)
Gene Krupa Orc
Andrews Sis
Chuck & Chuckles
Joey Rardin

MIAMI
Olympia (6-9)
Isabelle Jewell
Lorraine & Rognan
Al Trahan
Harris, Claire & S
MINNEAPOLIS
Orpheum (7)
Rufe Davis
Ben Blue Co
Kitty Carlisle
Lathrop Bros
Christiani Tr

RKO

BOSTON
Keith (6-9)
Bill Bardo Orc
Masters & Rollins
CINCINNATI
Shubert (7)
Milt Britton Co
Patricia Ellis
Minnevitch Rascals
Tommy Rafferty
Tito
Helen Pammer
(31)
Adriano & Charly
3 Pitchmen
Watson Sis
Ada Leonard Orc
CLEVELAND
Palace (7)
Follies Bergere
(31)
Cab Calloway Orc
Avis Andrews
Cook & Brown
Niesen & Aland

6 Cotton Club Boys
Mills Bros
DAYTON
Colonial (7)
Ada Leonard Orc
Flo Mayo
Winnie May
Sylvia & Clemets
Steve Evans
(31)
James Evans Co
Blanche Bradley Co
Buster West Co
Thurston
ROCHESTER
Palace (7)
Cab Calloway Orc
Avis Andrews
Cook & Brown
Niesen & Aland
6 Cotton Club Boys
SYRACUSE
Strand (7-9)
Louis Armstrong Or
Big Time Crip
Timmie & Freddie

Warner

NEW YORK CITY
Strand (7)
Ray Noble Orc
Georgie Tapps
Yvette
J & J McKenna
(31)
Henry Busse Orc
Johnny Woods
3 Berry Bros
Quentin Reynolds
Emerald Sis
PHILADELPHIA
Earle (7)
Sammy Kaye Orc
Statler Twins
Chris Cross
Nonchalants
(31)
Streets of Paris
PITTSBURGH
Stanley (7)
La Conga Rev
La Comparso Co

Cesar & Rosita Co
Tito Coral
Ferdinand, the Bull
Del Carmen & Vega
Ramon Orc
(31)
Larry Clinton Orc
Wally Vernon
3 Arnolds
Condos Bros
READING
Astor (7-8)
Lee Brown Orc
WASHINGTON
Earle (7)
Gae Foster Gls
Roy & Trent
Ben Yost Co
Linda Moody
Gil Lamb Co
(30-6)
Gae Foster Gls
Pansy Sanborn Co
Stapletons
Gene Archer

Independent

NEW YORK CITY
Music Hall (6)
Robert Shanley
Paul Haakon
Henry Calvin
George Meyer
Loren Hollenbeck
Rockettes
Corps de Ballet
Erno Rapee Symph
Roxy (7)
3 Smoothies
Bob Dupont
Jeannie Brideson
Faludy Tr
Marie Hollis
Paul Ash Orc
Apollo (7)
'Tan Manhattan'
Windsor (6)
Harry James Orc
Ginger Manners
Lynn, Royce & V
Al Bernie
Nancy Healy
Queensboro (8-9)
Art Kahn Orc
(Four to fill)
Riviera (9)
Don & Ruthie Lane
Frances Roman
Joe Cappi Orc
BALTIMORE
Hippodrome (6)
Funzafire U
State (9-11)
Del Raes
Al Linden
(6-8)
Manshinos
Kay & Blaine
4 Fantinos
Royal (7)
Earl Hines Orc
Jerry Tappe
BROOKLYN
Flatbush (6)
Bill Robinson
Johnny Long Orc
Pat Henning Co
Jack McCoy
4 H'wood Blondes

CAMDEN
Towers (7-9)
Singer's Midgets
ELIZABETH
Liberty (6-9)
Glenn & Jenkins
Ming Toy
3 Orontos
B & I Shaw
Victor Macy & Nova
FALL RIVER
Empire (4-6)
Bob Howard
Tanit Ikao
Rose Wyse Jr Co
Bob Henshaw Co
Helene Dennison
Samuels Bros & V
FREEPORT
Freeport (6-8)
Don & Ruthie Lane
Virginia Austin
A & M Havel
Nelitto Tr
(One to fill)
HARTFORD
State (7-9)
Major Bowes Co
Blanche Calloway O
Buck & Bubbles
NEWARK
Adams (7-9)
Streets of Paris
PATERSON
Majestic (7-10)
Leonard, Semon & S
Cordini & Tina
Levan & Bolles
Stuart & Taylor Co
6 Marvelettes
PHILADELPHIA
Carman (7)
Toy & Wing
Jimmy Leeds
G & B Maison
Wesson Bros
5 Cardovas
Fay's (6)
Varlos & Vida
Smith, Rogers & E
Don Arree
Maxine Deshon
Bobby Pinkus Co

Irme Vogeles
16 Roxyettes
PROVIDENCE
Metropolitan (7-9)
John Scat Davis O
Kidoodlers
Moke & Poke
H'wood Canines
3 Winter Sis
WASHINGTON
Howard (7)
Erskine Hawkins O
Mason, Burns & B
Count Leroy
4 Step Bros
WORCESTER
Plymouth (3-5)
John Scat Davis O
Barry Wood
Don & Ruthie Lane
H'wood Canines

Cabaret Bills

NEW YORK CITY

Armando's
Geo Morris Orc
Pedrito Orc
Marie Spaulding
Beachcomber
Michael Loring Orc
Sacasas Orc
Elsa Valladeres
Carmen Amaya
Bill Bertolotti's
Don Sylvio Orc
Angelo Orc
Jeanne Newell
Barbara La Merr
Loretta Lane
Lynn & Marianne
Patsy La Rains
Bill's Gay 90's
Charles Strickland
Lulu Bates
Fred Bishop
Spike Harrison
Harold Willard
Harry Donnelly
Bernie Grauer
Cafe Bruno
Chick Raines Orc
Evelyn Laye
Cafe Continental
Yascha Datsko
Nordstrom Sis
Alex Mekofke
Patricia Wing
Hado Hurd
Irene Stanley
Cafe D'Oree
Tex Gentry
Louise Carroll
Tommy Toscano
Pat Dixon
Cafe Pierre
Gerry Morton Orc
Carol Bruce
Cafe Society (Midtown)
Teddy Wilson Orc
Eddie South Orc
Hazel Scott
Golden Gate 4
Ammons & Johnson
Cafe Society (Village)
Henry Allen Orc
Meade Lux Lewis
Art Tatum
Willie Bryant
Sammy Pierson
Sister Tharpe
Chateau Moderne
Maurice Shaw Orc
Gabriel
Bill Taylor
Dorothy Tanner
Rollin Smith
Carol Boyd
Ted Lane
Al Lentz
Tommy Baron
Club 18
G Andrews Orc
Peter Brent Orc
Hazel McNulty
Jack White
Maxine Loomis
Lilyen Dell
Pat Harrington
Frankie Hyers
Jerry Blanchard
Terry Lasky
Janet Lind
Club Gaucho
Don Miguel Orc
Currito & Coral
Merits
Tamara Doriva
Fontene
Club Waikiki
Andy Iona Orc
Na-Pue
Tuitama
Copacabana
Nat Brandwynne Or
Juanita Juarez
Frank Marti Orc
Fernando Alvarez
Elvira Rios
Patricia Bowman
Samba Sirens
Cuban Casino
Consuelo Moreno
Don Cassanova
Dimas & Belen
Effi Dorrs
Diamond Horseshoe
Noble Sissle Orc
Blanche Ring
Gilda Gray
Eddie Leonard
Julian Eltinge
Harland Dixon
Prof Lamberti
Wini Shaw
Horton Spurr
Dave Mallen
Herman Hyde
Sally Burrell
El Chico
Don Alberto Orc
Martinez & Antonita
Lolita Gomez
Pepe Hurtado
La Gitanilla
Maria Lopez
Los Aztecas
Famous Door
Joe Marsala Orc
Adele Girard
Bee Kalmus
Frances Carroll
Marion Eddy
Gay White Way
Shep Fields Orc
Fausto Curbello Orc
Joan Edwards
Harris & Shore
Bob Shea
Carol King
Geraldine & Joe

BOOKING THE NATION'S LEADING INDEPENDENT VAUDEVILLE THEATRES
EDWARD SHERMAN
1619 BROADWAY NEW YORK COL. 5-0930

Gloria Blake
Marion Miller
Jorge Negrete
Juanita Rios
Mimi Kellerman
Cosy Worth
Marcia Ray
Ann Pennington
Betty Jane Smith
Gr'nwi'h Village Inn
Anthony Trini Orc
Aileen Cook
Danise
Eleanor Knight
Bernice Manning
Dorita
Grace Patterson
Havana-Madrid
Froilan Maya Orc
Juanito Sanabria Or
Arturo Cortez
Pepito & Lucie
Rita Montaner
Manor & Mignon
Rosita Ortega
Hickory House
Lou Holden Orc
Hotel Algonquin
Bela Bizony
Reneto
Linda Lee
Baldwin Bergerson
Oscar Andree
Hotel Astor
Dick Kuhn Orc
Sande Williams Orc
Hotel Belmont Plaza
Arthur Ravel Orc
Joe Pafumy Orc
Mishal Gorner Orc
Gwen Gary
Lucille Johnson
Moro & Chita
Belmont Balladeers
Hotel Biltmore
Orrin Tucker Orc
Bonnie Baker
Hotel Bossert (Brooklyn)
Eddie Lane Orc
Hotel Brevoort
Sam Ray
Julius Monk
Eddie Mayehoff
Norbert Facent
Elsie Houston
Hotel Edison
Mal Hallett Orc
Madeline Gray
Hotel Essex House
Joe Reichman Orc
Gloria Martin
Hotel Lexington
Lani McIntire Orc
Aggie Auld
Napua
Momi Kai
Meleo Shaw
Hotel Lincoln
Tony Pastor Orc
Lincolnaires
Hotel McAlpin
Isham Jones Orc
Shirley Lloyd
Hotel New Yorker
Woody Herman Orc
Muriel Lane
Ice Ballet
Erne Andersen
Adele Inge
Mary Lee Bennett
John Kinney
Ronnie Roberts
Jerry Farley
Grace Moy
Boots Young
Hotel Park Central (Cocoanut Grove)
Buddy Clarke Orc
Jack Waldron
Barry, Prince & C
Pastine & Fanchon
3 Nightingales
'Scat' Powell
Elenore Wood
Roberti Roberts
Toni Traube
Hotel Pennsylvania
Jimmy Dorsey Orc
Helen O'Connell
Bob Eberle
Hotel Plaza
Dick Gasparre Orc
Chiquito Orc
Raye & Naldi
Jane Winton
Hotel Roosevelt
Guy Lombardo Orc
Hotel Savoy-Plaza
Bob Grant Orc
John Buckmaster
Hotel Shelton
Johnny Johnson Or
Hotel St. George (Brooklyn)
Allen Kane Orc
Hotel St. Moritz
Eddie Varzos Orc
Boquvel & Tova
Don Hooton
Lolo & Bobby
Hotel St. Regis
Hal Saunders Orc
Gus Martel Orc
Dorothy Lewis
Heasley Twins
Hazel Franklin
Hotel Taft
Frankie Masters Or
Hotel Waldorf-Astoria
Empire Room
Leighton Noble Orc
Mischa Borr Orc
Russell Swann
Yvette
Hurricane
Eddie Bush Orc
Juanita Rios Orc
Romo Vincent
Joan Merrill
Enrico & Novello
Winnie Hoveler Gls
Iceland Restaurant
Bobby Norris Orc
Manuel Ovando Orc
Grace Drysdale
Case Franklin
Nola Day
Elaine Dowling Gls
Garon & Bennet
La Conga
Jack Harris Orc
Noro Morales Orc
Candido Botelho
Betty & F Roberts
Adele Norella
Nino & Lenora
C de Simone Co
Decita
La Martinique
Roy Fox Orc
Kay Kimber
Herbert Curbello Or
Carlos Ramirez
Danny Kaye
Mati & Hari
Larue
Eddie Davis Orc
Joseph Smith Orc
Le Coq Rouge
Harold Nagel Orc
Oscar Day Orc
Alicia Henderson
Leon & Eddie's
Lou Martin Orc
Eddie Davis
Teddy Rodrigues
Virginia Valley
Margo
Jean Mona
Charlee Carrer
Dora Maughan
Jack Gleason
Patricia Joyce
Marion Murray
Marion Joyce
Mon Paris
Heywood Powers Or
Dick Wilson Orc
Eleanor French
Monte Carlo
Ted Straeter Orc
Freshmen
Old Roumanian
Jos La Porte Orc
Ethel Bennett
Sadie Banks
Jenia Pobedinia
Buddy Walker
Chiquita Venezia
Eli Spiveck
Place Elegante
Ernest Franz Orc
Bernice Manning
Bill Farrell
Joe Ravazo
Vincent de Costa
Art Tubertini
Tino Donelli
Queen Mary
Jos Ellis Orc
Louise Bryden
Jean Walters
Roberta Welch
Baron Gyldenkron
Lou Williams
Helen Kaye
Rainbow Grill
Barry Winton Orc
Gloria Hope
Julian & Marjori
Jean Murray
Rainbow Room
Ben Cutler Orc
Keith Clark
Cappella & Beatrice
Rolly Rolls
Rubun Bleu
Nora Sheridan
Palomo
Vora Senoff
Herman Chittison
Delta Boys
Russian Kretchma
Nicolas Matthey Or
Peter Nemiroff Orc
Olga Ivanova
Nastia Pollakova
Marusia Sava
Adia Kuznetzoff
Senia Karavaeff
Michel Michon
Mishi Uzdenoff
Arjsiak Arafelova
Stork Club
Sonny Kendis Orc
Versailles
Nicholas D'Amico O
Panchito Orc
Luba Malina
Bill Robinson
Village Barn
Lyle Carlyle Orc
Peter Kara Orc
E & M Nolan
June Bentley
Pappy Below
Joan Murray
Floria Vestoff
Sons of Purple Sage
Whirling Top
3 Tops
Ginger Wayne

LOS ANGELES

Biltmore Bowl
Jimmy Castle
Dorothy Brandon
Burton Twins
Everett West
3 Dee's
Chester Dolphin
Chuck Foster Orc
Casa Manana
Ivy Anderson
Ford Jones
Mitchell Sis
Herbie Jefferies
Kokomo
Duke Ellington Orc
Cocoanut Grove
Gower & Jeanne
Calgary Bros
Freddie Martin Orc
Earl Carroll
Jimmy Durante
Buster Shaver
Olive & George
6 Debonairs
Beryl Wallace
Mary Peterbeck
Helen O'Hara
Barbara O'Drew
Reyes' Rhumba Bd
St Clair & Day
Rhumba Orc
Slate Bros
Bill Brady
Manny Strand Orc
Florentine Gardens
NTG 7th Edition
Fred Scott
Marion Wilkins
Eleanor Troy
Sugar Geise
Rio Bros
Charlie Foy's Club
Charlie Foy
Leonard Sues
George Beete
Wilma Novak
Gay Moran
Art Bernard Orc
Grace Hayes Lodge
Aniwa Boys
Jerry Hilliard
Peter Lind Hayes
Harry Carroll
Pat Dwyer
Pauline Carroll
Grace Hayes
Rebecca Hayes
House of Murphy
Naomi Wheat
Beth Reynolds
Frankie Gallagher
Gordon Bishop
Sonia Day
Bob Murphy
'It' Cafe
Dave Forrester Orc
La Conga
Paul Neighbors Orc
B.B.B.
Dorothy Dandridge
Biltmorettes
Frank Cook
Red Knight
Phillip Lopez Orc
Macambo Cafe
Dinorah Rego
Humbertos Bd
Phil Ohman's Orc
Palladium
Glenn Gray Orc
Paris Inn
Kenny Henryson
Dominic
Marg'rite & M'rtinez
Henry Monet
Helen Golden
Davey Jamison
Dorothy Heller
Helen Harrison
Maletta
Helen Miller
Chuck Henry Orc
Pirates Den
Pegleg Hoppeney
Susan Miller
Shadrack Boys
Henry Grant
Susan Miller
Gaby Le Fitte
Black Andy
Tom Geray
Charles Stevens Or
Eddie Albany
Scheherazade Cafe
Yascha Borowski
Russian Gypsy Orc
Seven Seas
Lilia Kipikone
Puanani Mathews
Jane Avelar
Johnie Bright Orc
Somerset House
Harry Ringland
Elliott Carpenter
Lorraine Elliot
Lou Sallee Orc
Swanee Inn
Juan Florer
Juanelda Carter
Eddie Beal
Pork Chop
Topsy's
The Topsyettes
Beverly & Revel
Paul Locke
Russ Brown
Marvin Dale Orc
Wilshire Bowl
Don & Beverly
Phil Harris Orc

CHICAGO

Ambassador Hotel (Pump Room)
Larry Adler
Virginia Hays
Jerry Shelton Orc
Bismarck Hotel (Walnut Room)
Art Kassel Orc
Marion Holmes
Collette & Barry
Lew Hoffman
Hadley Gls
Blackhawk
Ted Fio Rito Orc
Earle Leslie
Grandfat'r's Follies
Blackstone Hotel (Balinese Rm.)
Jay Cole Orc
Brevoort Hotel (Crystal Room)
Mae King
3 Niblics
Bob Billings
Broadmont
Karl Wayne
Marie Young
Shirley Lucky
Connie Oster
Pat Snyder
Doris Clayton
Herb Rudolph's Orc
Chez Paree
Lou Breese Orc
Jens Frohman
Rufe Davis
Four Franks
Juvelys
Evans Gls
Club Alabam
Charlotte Van Dee
Morton Moore
Harriet Norris
Allen Coe
Bernie Adler
Betty Hill
Inez Gambol
Effie Burton
Paullette La Pierre
Dave Unell Orc
Dorothy Dale
Eddie Roth Orc
Club Minuet
Helene Carol
Rita Ray
Alvira Morton
Ethel Brown
Fillmore Sherman
Art Fischers Orc
Del Estes
Colony Club
Secasas Orc
Monchito Orc
Colosimos
Eddie White
Lyon Warjo
Hazel Manjean Gls
Janice Davenport
Jack Prince
F Quartell Orc
Club Dellsa
Billy Mitchell
Cyclone Morgan
Billie Eckstein
De Alexander
Chipple Hill
6 Jitterbugs
Rhythm Willis
Charles Isom
Partello Gls
Red Saunders Orc
Congress Hotel (Glass Hat Rm)
Johnny Banga Orc
(Peacock Rm)
Joe Vera
Edgewater Beach Hotel (Beach Walk)
Richard Himber Orc
Dor Dorben Gls
Herb Foote
Franke's Casino
Harriet Ehrlick
Rocky Ellsworth
Billie Webb
Ann Anderson
Dick Conrad
Bob Tinsley Orc
Graemere Hotel (Glass House Rm)
Lew Story Orc
Marie Lawler
Nord Richardson
Hi-Hat
Willie Shore
Jerry Bergen
Doris Robbins
Ginette Calle
Younger Gls
Eddie Fens Orc
Ivanhoe
Florence Schubert
Jerry Shelton Orc
4 Bards
Helen Sumner
L'Aiglon
Emil DeSalvi Orc
Dorothy Johnson
Arsene Siegel
Isobel de Marco
Hotel La Salle (Blue Front Room)
Kings Jesters
Ruth Milem
Liberty Inn
Karen Stephany
Marion Crawford
Jane La Vonne
Denilee
Jimmy O'Neil
Sunny Lovett
Earl Wiley Orc
Morrison Hotel (Boston Oyster House)
Manfred Gotthelf
New Yorker
Dolly Kay
Roy Sedley
Claire & Hudson
D'Arbour & Rens
Patsy Reed
Hoveler Gls
Arne Barnett Orc
Al Milton Orc
Old Heidelberg
Irme Cooper
Selly Sherratt
Heidelberg Octette
Heidelberg Ens
Joly Franzl Orc
Frenzel Orc
Palmer House (Empire Room)
Eddie Duchin Orc
Eddy Howard
Bob Evans
Maurice & Cordoba
Perez Four
Abbott Dancers
Phil Dooley Orc
Sherman Hotel (Celtic Cafe)
Gene Kerwin Orc
Jaros Sis
(Panther Room)
Gene Krupa Orc
Bob Zurke
Irene Daye
Chuck & Chuckles
Cellahan Sis
Byton Gls
Corl Marx
Silver Cloud
Rey Martell
Peggy Parker
Shirlie Sherr
Vel Mar Bros
Lenore Chicagoans
Joe Gerken
Ralph Lynden Orc
Elinor Daniels
Hazel Zalus
606 Club
Billy Carr
Margret Faber Gls
Boots Burne
Irene Kaye
Jerri Vance
Jackson & Nedra
Betty Shayne
Carrie Finnell
Barbara McDonald
Renee Andrie
Maxine De Shon
Virginia Jones
Millie Wayne
Cecil Von Dell
Margo
Jo Ann Carroll
Sol Lake Orc
Tripoli 3
Todd's Theatre-Cafe
Gypsy Rose Lee
W West & McGinty
Rola Rola
A Robins
Todd Gls
Jack Penny

PHILADELPHIA

Club Ball
Alan Fielding Orc
Mercya & Gunsett
Caryl Gould
Alfonse Garcia
Juenita
Ben Franklin
Clyde Lucas Orc
Lyn Loces
Colstons
Benny, the Bum's
Morty Landis Orc
Billy Maples
Fats Atkinson
Anita Chandler
Carroll's
Charlie Gaines Orc
14 Carrollovlies
George Wagner
Vera Verne
Connie Phillips
Eadie Long
Lucille Rend
Rance & Gordon
Club 15
3 Musical Strings
Vesta Victoria
3 Glomour Gls
Amy Organ
Barbara Stone
Cusano's
Lou Ferlano
Kay Trotter
Lillian Stewort
Johnny Gilfoyle
John Lucya
Harry Smith
Ralph Sanner's Orc
Cadillac Tavern
Henrique & Adr'nne
Edythe Brown
Bonnie Stewart
Lew & Evelyn
Cadillac Sextet
Harry Dobbs Orc
Embassy
Geo Clifford
Helen Standish
Los Cucarachas
Maja Monteria
Charlotte Lauberton
Carlos Reyes Orc
Curt Weller Orc
Evergreen Casino
Alice St John
Nitza & Ravel
Pat Chandler
Doris Elliott
Pat Shevlin Orc
1523 Locust
Bubbles Shelby
Elaine Ellis
Emily Saunders
Elaine Block
Lorraine Rhoda
Mickey Dee
Keller Sis
Kay Loverly
Perry from Erie
Little Caesar
George Saneon
Kings of Swing Orc
Gay 90's Cafe
Cecil Williams
Little Van Osborne
Mey Joy
Ann Fisher
Nake & Sake
Chick Williams Orc
Henri's
Dervis & Arlette
Lou Karns
Alice Burch
(H Walton Roof)
Vincent Rizzo Orc
Leona Starr
Betty Jane Cooper
Cynda Glenn
Felicie
Glamour Gls
Helen Heath
Bob Russell
Nino Nani
Vere Niva
Louis Morrison
Peppino & Carmen
Carlos Campos
Florence & Alvarez
Michael Sandina
Nell Fontaine Orc
Augusto Senebie Or
Hotel Philadelphia (Philadelphia Rm)
Carlotta Dale
Fredrico & Dankin
Dick Wharton Orc
Jam Session
Joe Virrecchia
Mickey House
Micky Rogers
Dynamite Hooker
Billy Kretchmer
Teddy Walters
Hopkins' Rathskeller
Irving Braslow's Or
Foenchon & Camille
Vera McGovern
Agnes Barry
Sunny Rae
Jeannie Van
Audrey Joyce
Singin' Sam
Latimer Club
Ann Rush
Mike Rizzo Orc
Barbara Bradley
Joanne McFarland
Joanne Sheer
Frances Lenox
Lido Venice
Harry McKay
Smiles & Smiles
Lillian Fitzgerald
Cete & the Fiddle
Buddy Lewis
The Novelette Gls
Dan Versee Orc
Little Rathskeller
Stardusters
Renee Villon
Sterling & Rubia
Ds Lloyd McKay
Jan Murray
Victor Hugo Orc
Manoa Inn
Jack Hitchinson
Edythe Sallade
Shandor & Margo
Marcelle Trio
Tony Edding
Newell & Hutchison
Frank Cuneo Orc
Mayo's
Vincent & Lane
Gus Johnson
Joe Campo
Minstrell Tavern
Dot, King & 4 Tones
Ed McGoldrick, Sr
Sissy Loftus
Margie March
Bella Belmont
Ed McGoldrick, Jr
Park Casino
Miss Cummings
Eddie Shepherd
H Cummings Orc
Lynde
Open Door Cafe
Dot Bollinger
Helen Wilson
Cleo Barr
Billy Mayes Orc
4 Octaves
Old Covered Wagon
Walter Jeffrey
Micky Familiant
Palumbo's
6 Shades of Rhythm
D & R Marshall
Wade & Wade
Terry Sherman
Mona Stanford
Billy Lee
Erma Lynn
Jim Wong Tr
Howard Reynolds O
Red Hill Inn (Pennsauken, N. J.)
Slappy Swingsters
Don & Dorese
Frank Ponti
3 Peppers
Lou Boyle
Vivi Austin
Niles & Joanns
Neff Bros & Fischer
Florence Morton
Marie Latell
Dee Rogers
Diane Collier
Sid Raymond
Dolores
De Lamars
Little Van Osborne
69th St. Rathskeller
Masse Bobby Lee O
Dorothy Johnson
Loretta Navarre
Louise Hamilton
Billy
4 Black Spots
Takayama
Karel & Yvonne
Dorothy Johnson
Pete Hayes
School House Inn
Buck Calhoun
Jean O'Neil
Lee Paige
Andy Russell
Lloyd Mann
Lonnie Little
Jimmie Venuti Orc
Silver Lake Inn
Marilyn Mayne
La Rocha & Reina
Colonel Reed
Alice Lucey
Frank Hessel Orc
Rendezvous (Hotel Senator)
4 Blues
Lee Candell
Tony Lane Trio
Hugo-Klahre
Beale St Boys
Stamp's
George Marchetti O
Joyettes
Collegian Trio
Dottie Winters
Helen Barrie
Helen Jerrico
Hazel Calloway
Swan Club
Flash Lane
Rulson
Morgan & Barl
Toni Serelli
Lola Claire
Henry Patrick's Orc
Freddy Bernard
20th Century
Michael Pedicin
3 Loose Nuts
4 Men of Rhythm
Venice Grille
Eddie Thomas
Bert Lemisch Orc
Fay Wray
Warwick Hotel
Ray Morton Orc
Weber's Hof Brau
Camden
Jules Flacco Orc
Curran Bligh
Signor Carmino
Pat Sullivan
Jack Smith
Dave Peterson
Syd Golden
Ratha'r Eldorndians
Mia Miles Trio
Carltons
Gypsy Monya
Wilson's
Art Mathues
Leonora Jackson
Harry White
Jack & J Gordon
Klee Ko
Sinclair & Leroy
Joe Hough
Geo Baquet Orc
Yacht Club
Scerey Gavin
De Marcos
Dolly Bruce
Jean Rice
Eddie Mathews
Mary Navis

CLEVELAND

Alpine Village
Bernice & Perks
Bob Copfer
Carl Mueller
Otto Thurn Orc
Freddie's Cafe
Art Lackey Orc
Al Schenck
Roy Raysor
Hal Simpson
Gourmet Club
E Robinson Orc
Bill Lockman
Hotel Allerton
Karen Torey
Louis Cine
Jack Miko
Hotel Carter
Versatilians
Bob Opitz
Hotel Cleveland
Paul Pendervis Orc
Margaret English
Hotel Fenway Hall
Gene Erwin Orc
Hotel Sterling
Jimmy Van Oedell
Quinteros
Lester Chefetz
Hotel Hollenden
Sylvia Froos
Paul Rosini
Georges & JoAnn
Sloan & Gary
Sorelli
Sammy Watkins Or
Hotel Statler
Jose Morand Orc
Nilda
Antonio & Elena
Catalina Rolon
Jack & Eddie's
Rubertino, Roberts
Babe Sherman
Ariane Rice Orc
La Conga Club
Ramon Arias Orc
Lindsay's Bar
Judy Preston
Pearl DeLucca
Regal Club
Ducky Melvin Orc
Thirty-Seven Club
Pat Dennis
Cunningham Sis
Jean Delters
3 Debs

DETROIT

Book-Cadillac Hotel (Book Casino)
Fernandez & Tere'a
Bob Neller
Dorothy Barton
Morris King
Eddie Le Baron Or
(Motor Bar)
Jay Coe
Bowery
DeSimone Conga Da
Mildred Rock
Marlowe & King
Hervey Stone
Don Arden Danc
Johnny King
Choe Carlisle
Benny Resh Orc
Casanova
Ivan Benkoff Co
Mlle Melaine
Nickolee & Sylvi
Madelon Baker
Glamor Gls
Lee Walter Orc
Corktown Tavern
Hal Bronson
Ellen Kaye
6 Vesters
Eddie Bratton Orc
Cole & Corte
Neville & Day
Ann Lee
Don Andra Orc
Commodore
Jerry Bergen
Dick Worthington
Don & Bette Lynne
M Kratlow Line (6)
Vere Wirlville Orc
Hunt's
3 Old Timers
Joey Raye Trio
London Chop House
Tonia Valenti
Ruby Orc
Morocco
Carol Roth
6 Sparklettes
Mel Snyder
Will Henderson Orc
Neblolo's
Di Iovanni
Carmen
Carlos & Chita
Guy Gibby
Leonard Seel Orc
Northwood
Duanos
Jerry Lawton
June Carmen
Diane & DeLye
Ray Carlin Orc
Palm Beach
Bill Mahoney
Shutta & Kent
Orlando
Mounie Drake
Don Pablo Orc
Huck's Redford Inn
Mac McGraw Orc
Club Royale
Lester Cole & Debs
Kay Taylor
Maryea & Maurice
Gene Fields
Louise Martell
Bernard Denc
Roy Tracy
Danny Demetry Orc
Sak's Show Bar
Jean Blue
Floretta & Boyette
Corbett & Lorraine
Harriet Cross

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INDIE BOOKING OFFICE PLAN

Frank Sullivan, One of 'Arsenic's' 21 Partners, Tell P.A. How to Behave

Frank Sullivan, former newspaper humorist who is among the mob of 21 that has shares of 'Arsenic and Old Lace,' Fulton, N. Y., felt that he should write pieces for the papers and landed an excellent yarn in the N. Y. Times about the show on the Sunday before it opened. Then when the notices rated 'Arsenic' a sure thing, Sullivan figured he had completed his bit and since then nothing by him has appeared.

However, Dick Maney had been appointed to publicize the show, and Sullivan, as one of the p.a.'s bosses, decided that Maney should be advised as to his conduct. He thereupon wrote Maney the following letter:

My dear Maney,

You will appreciate, I know, that in our new relation as master and employe, it would not be seemly for me to address you as 'Dick.' I enclose a brief article which I wish you would insert in the Bayonne Courier some time before the Fourth of July.

I am sure that you and I are going to get along simply finely in our work on this theatrical production, and you are not going to find me a difficult boss. You just do your part and you will find that Sullivan, the workingman's friend, is a square shooter. However, I would consider myself a good deal less than frank were I not to speak to you of certain small matters at this time.

Dick, I mean Maney, you are now on my staff, and I know that I do not need to remind you that that position carries with it a certain responsibility. Remember, you are not now acting as just plain old Dick Maney —you are acting as Sullivan's Dick Maney, and your actions will be judged in that light, and while a certain geniality is in order and has my approval, you must never forget your dignity to the point of descending to the frolicsome.

An occasional drink? Quite all right, but you must always ask yourself, 'Would Frank take this drink?' before you take it. Be careful also of your associates. Frankly, I would avoid Bleeck's, or to be more specific, the society of the newspapermen who hang out there, for the time being. Newspapermen are, to be sure, a happy, devil-may-care, reckless, here-today-and-gone-tomorrow, easy-come-easy-go, spendthrift, jolly and congenial set of chaps, and in their place I like them, as I used to be a newspaperman myself, but I must say to you frankly that I do not think that it would enhance your, and consequently, my social position were you to be seen too often in the company of such ink-stained wretches as Richard Watts, Jr., Geoffrey Parsons or Ogden Reid. Buy 'em a drink once in a while, and be affable, but keep them at their distance. I will write you further instructions at some later date.

'Horse Fever' Claims Going to Arbitration

Rehearsal pay claims of players who appeared in 'Horse Fever,' a short-lived comedy which played the Mansfield, N. Y., earlier this winter, are to be settled by arbitration. Show was presented by Alex Yokel with the backing of the Shuberts and it is the latter who are contesting the claims. Total amount involved is said to be less than $500.

'Fever' gave a number of paid previews, cast getting one-eighth of a week's pay for each. Since they also rehearsed during the days of preview performance, pay for rehearsals was also payable. Yokel is reported agreeing that double work made the players entitled to regular rehearsal compensation which is $20 weekly. Shuberts, however, are reported contending that the Equity rule is, 'oppressive.'

About two years ago Herman Shumlin brought up a similar point. He argued that if actors were paid for previews an additional day of rehearsal should be allowed for each. Equity assented and the rule was inserted in the standard contracts.

Harry Carey to Star

Harry Carey is slated to be starred in the dramatization of Max Miller's novel, 'A Stranger Came to Port,' although the producer is not definite. Story is being dramatized by Edward J. and M. A. Marr. Marr attracted attention by enacting the tough 'Baby Face Martin' in 'Dead End.' It is his first try at playwrighting.

Deal is being handled by Pat Duggan, with production expected early in the spring. Carey came east from Hollywood with his wife, Olive, some weeks ago. They are residing in Great Neck.

Gilmore Submits Plan To Ease Up Stringent Child Labor Regulations

Relieved of office detail he formerly handled for the Associated Actors & Artistes of America, Frank Gillmore is occupied with a number of matters expected to be beneficial to the profession. He is working on a plan to tour shows in South America, is interested in the co-operative purchasing plan for actors, while his latest activity is directed towards obtaining more liberal legislation concerning kid actors.

Gillmore appeared before Equity's council last week and explained at great length the difficulties of touring shows in which children appear. He plans a widespread effort to correct such conditions, going considerably further than outlined in a bill recently introduced at Albany to standardize the regulations in the state of New York.

In a goodly percentage of plays youngsters are necessary in story development and have been since the days of Shakespeare. Up to now state legislatures in labor law restrictions have included stage children in the general classification. Most such laws are protective measures to prevent the use of child labor. Realized now that there should be exceptions in the case of those used in on the stage. In some states minors under the age of 18 are prohibited from acting. While the city of New York will grant permits for kid actors, there is plenty of red tape connected with their appearances.

Plans, as made by Gillmore, seek relaxation of the enforcement of the stricter regulations when stage kids are used, if new legislation cannot be obtained. As there are no cases of hardship for child players, that objective is not believed to be difficult to obtain. Equity will shortly move along the lines suggested, with the support of other stage unions, the managers, through the League of New York Theatres, and the Dramatists Guild.

MANAGERS, DRAMATISTS TO EXTEND AGREEMENT

Huddles between committees representing the Dramatists Guild and the managerial board of the League of New York Theatres point to the extension of the minimum basic agreement, which expires at the end of this month. There will be some changes, but none of a radical nature. So far there has been no discussion on the managers' suggestion that the sharing on picture rights money revert to a 50-50 basis, instead of 60% going to the authors as during the past five years. Producers have evidently decided not to make that point an issue.

Among the new rules which the authors insist upon is that managers cannot produce any foreign play unless the author is a member or joins

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PRODS., THEATRE OPS OPPOSE UBO

Playwrights, McClintic, Gilbert Miller, Abbott, Serlin and Shumlin Named as Participants — Boston, Balto, Philly and Chicago Houses in Negotiation

EXPANSION SEEN

Announced that negotiations are going on between a group of Broadway producers and Boston, Baltimore, Philadelphia and Chicago legit theatre owners pointing to the formation of a new independent booking outfit that would oppose the United Booking Office, operated jointly by the Shuberts and Erlanger interests. Several plans for a new booking system were outlined in the past several years, but were not fulfilled. However, it is known that a number of producers have been at odds with the UBO over indicated arbitrary methods.

New booking idea would be operative in the cities named, but it is contended that its activities could be expanded, as the UBO only has a monopoly in Washington and Pittsburgh. Elsewhere road houses play attractions independently booked and other shows from the UBO. Claimed that previous attempts at indie booking failed because not being well enough organized and sans proper financing.

Several Broadway producing organizations have been named as participating in the newest indie booking move, but others who have been at odds with the UBO at various times and who booked some stands independently are expected to come in on the plan. Those named are the Playwrights Co., Guthrie McClintic (including Katharine Cornell), Gilbert Miller, George Abbott, Oscar Serlin, Herman Shumlin and Howard Lindsay and Russell Crouse.

Theatres

Theatres lined up by those promulgating the new booking setup are the Maryland, Baltimore; Repertory, Boston; Walnut, Phila., and one of three Chicago houses. The Baltimore house has been independently booked for around 10 years and the UBO has not been able to do anything about it.

When the Shuberts and Erlanger's decided to merge their booking departments the general plan was to book not more than one show in a week stand at the same time. By eliminating opposition in the legit field out of town it was thought that such method would be for the benefit of managers generally. Those who have visited the week stands, however, say that local showmen are not satisfied with the UBO service, paving the way for the indie move.

Number of showmen are especially dissatisfied with the ticket situation in Boston. This is not blameable on the UBO, however. It is charged that the Shuberts control tickets through the Herrick agency in the Hub, though they deny it. Because of the Herrick system, visiting showmen have complained that their shows suffer at the boxoffice.

Booking monopoly has been successfully opposed before. 'Abie's Irish Rose' was independently booked, Anne Nichols renting theatres in many stands. Currently Serlin is doing the same thing, playing 'Life With Father' at the Empire, N. Y., and having rented theatres in Chicago (Blackstone), Boston (Repertory) and Philly (Walnut). Boston company opens in the latter spot about March 15. Chicago 'Father' company celebrates completion of a year's stay with a party Saturday (15) next week.

Members of the company of 'Old Acquaintance,' at the Morosco, N.Y., co-starring Jane Cowl and Peggy Wood, refer to the show as 'Arsenic and Old Acquaintance.'

Swing to Sunday Shows Now Definite; Sabbath Matinees Also Gain Favor

Truex's Bad Knee

Ernest Truex is appearing in 'George Washington Slept Here,' Lyceum, N. Y., under difficulty. His right knee, which he calls 'a nuckle,' was dislocated for the second time and he is wearing a steel brace.

Truex originally injured the knee when the play was in Boston, accident happening when he fell from a table on the stage. Because of treatment the Broadway opening was set back and further delayed when Berton Churchill suddenly died.

Leslie's 'Rhapsody' Had Coin Trouble in Philly, But May Relight There

'Rhapsody in Black,' produced by Lew Leslie, which abruptly stopped at Erlanger's, Philadelphia, Jan. 25, may relight there at the Shubert. Latter house has been dark for some time. Reported that the company was stranded, but stated early this week that the players returned to New York last Saturday (1).

There was no guarantee deposited with Equity, Leslie having been told that so long as his show remained in Harlem such requirement would not be insisted upon. First that Equity knew about 'Rhapsody' going out of town was when it opened in Baltimore recently. Before the colored cast revue can open in New York, Equity will probably insist on the guaranteeing of salaries.

Shutdown at Erlanger's after five days was caused when William Goldman, leasee of the house, demanded $1,300 which he claimed was due from Leslie for money expended on the show in behalf. Booking had been for two weeks. House is holding the costumes, sets and lighting equipment.

Backers of the Leslie show were said to be Harry Schumer, N. Y. transfer man, and Bert Ettinger, Brooklyn attorney. Schumer says he did not put up cash, but did arrange for the rental of costumes and lighting apparatus.

'HEAT' SRO SAT. NIGHT DESPITE CRITICS' PANS

'Crazy With the Heat' resumed at the 44th Street, N. Y., last Thursday (30) as announced, show being advertised $3.30 for a $4.40 musical, scale having been dropped from the original price when the revue opened and folded after seven performances. Critics covered the show a second time, because of the talent and materials, and changed routine under the direction of Ed Sullivan, News columnist, and associates, but again most notices repeated the original thumbs down opinions.

Exception was made by Burns Mantle, News reviewer. He gave 'Heat' 'two stars' in his first notice, indicative of a flop. Mantle's second notice was of 'three star' rating, meaning it is good. He may be right, for 'Heat' played to standee attendance Saturday (1) evening, after a fair matinee, and on Sunday night (2) tickets back to the last two rows were sold.

Explained that when Kurt Kasznar produced the show, a number of players' contracts called for featuring, with several refusing to follow certain people or skits. Because of that the routine was faulty. When Sullivan and his coterie took over new contracts were issued, principals taking cuts and no provisions being written into the contracts. Understood that the performance was improved by suggestions from Nick Holde, general manager of 'Heat,' whose opinions earlier were not followed. In addition to Equity making concessions, the stagehands assented to using five or six men less in the crew, musicians allowing the orchestra to be similarly curtailed.

Sullivan lauded the show in his News column last Friday (31) despite the notices. Idea of relighting the revue was praised along Broadway and in Equity circles, since it means jobs for more than 100 people.

Swing to Sundays is becoming more prevalent along Broadway. Managers are becoming convinced that there is a clientele for stage performances that cannot be had during the week. That was one of the points made when the Sabbath experiment was decided on. Equityites are more than gratified at the development though most standouts still stick to the Monday to Saturday schedule.

The idea of playing Sunday matinees is also spreading, more shows going on in the afternoon and evening, while Monday night and Wednesday matinees are being scratched. Longest stayer on the list, 'Tobacco Road' (Forrest), was the first show to give Sunday afternoon performances. Shows which have followed are 'Cabin in the Sky' (Beck), 'Meet the People' (Mansfield), 'Johnny Belinda' (Longacre), and 'Flight to the West' (Guild). Latter show experimented for the first time last Sunday (2) and will continue evening performances then. Sunday (16) next week, 'George Washington Slept Here' (Lyceum), which has been on the Sunday night group, will also play the matinee, and the following Sabbath, 'The Man Who Came to Dinner' (Music Box) will do likewise.

Draw of 'Cabin' on its first Sunday matinee, when the show played to standees, appears to have influenced managers of other plays to try the same schedule. Figuring that stage plays are more in competition with the picture houses during the day than evening on Sunday, ticket scale is mostly dropped to $2.20 for the matinees. Moderate price admissions are clearly in demand on Sundays and that is the reason why musicals at $4.40 top are hesitating about getting aboard the band wagon.

Other shows have held off the Sabbath on the ground that the shows playing then are mostly in-betweeners, but some shows are among the sturdy grossers and the continuance of engagements are definitely credited with the 'new money' that is being attracted. Broadway now has 12 shows playing on Sundays, strongest front yet offered. Five are musicals, they being 'Hellzapoppin' (Winter Garden), 'It Happened on Ice' (Center), 'Cabin,' 'People' and 'Crazy With the Heat,' 44th Street, which fared well on the first try and will add Sunday matinees.

There was a distinct offish trend in business last week, which made the goodly Sunday takings the more important. Saturday (1) matinee was unusually strong all along the line. Grosses were on the down side for the week, but would have been markedly off but for the Sabbath draw.

Charleston's B. O.

Charleston, W. Va., Feb. 4.

After many years without a legit show, this city shows signs of becoming a highly profitable stand for touring companies. 'Tobacco Road' drew about $6,000 in two performances Jan. 24-25 at the Auditorium, despite bad weather. Road edition of 'Hellzapoppin' is booked in Feb. 24-25, and Tallulah Bankhead in 'The Little Foxes' plays a one-night March 10.

Harry Lashinsky is booking the 3,500-seat Auditorium for the Mayfair Amus. Enterprise.

'Cease Firing' on Coast

Hollywood, Feb. 4.

Leon Connell is producing a three-act stage drama, 'Cease Firing,' at the Westwood Theatre Guild Playhouse, opening Feb. 7.

Play is authored by Otis Wiles, of the Columbia publicity staff, and Marjorie Driscoll.

Inside Stuff—Legit

The story of Noel Coward's rise to theatrical fame was detailed in a two-part article by Charles B. Cochran in the Sunday Chronicle, London, during December. The manager and Coward, whom he called 'Cocky,' were associated over a period of nine years starting with 'On With the Dance' in 1925 and ending with 'Conversation Piece' in 1934, including such of the author's works as 'This Year of Grace,' 'Bitter Sweet,' Private Lives,' 'Cavalcade' and 'Words and Music.'

Second installment of the yarn had an additonal note from Cochran, who wrote: 'With reference to the first of my two articles about Noel Coward, I am considerably embarrassed as being described as 'the man who made him.' I would not dream of making such a claim. He was endowed by God with great gifts, not the least of which is tremendous perseverence, and he was bound to arrive at his pre-eminent position in the theatre whether he had become associated with me or not.'

'Words and Music,' written in entirety by Coward and more costly than most Cochran revues, was the first of his shows sponsored by the producer that was not profitable. A revival of 'Hay Fever' was warmly greeted, but it too lost money, making two flops in a row. However, after he returned from New York, where he appeared with the Lunts in 'Design for Living,' Coward wrote 'Conversation Piece,' which was a hit. That ended the Cochran-Coward association, author deciding to form a partnership with John C. Wilson to produce his own and other people's plays. Both in England and New York. The Lunts are in on the Coward-Wilson projects.

It is not unusual for Broadway managers to take extra space ads in the dailies to reprint exerpts from critics' reviews, but reproduction of a notice in full is rare. Headed 'A Variety Mugg reviews 'Lady in the Dark,' the complete notice written by Robert J. Landry (*Land*) which appeared in last week's issue (Jan. 26), was reprinted in the Times and Herald-Tribune on Monday (3), space used being nine inches deep across four columns.

Land went to town in covering 'Lady,' at the Alvin, as did most reviewers. Odd angle to the reproduction's heading was the absence of the theatre's name and that of Gertrude Lawrence, who is starred in the show, though there is generous mention of her in the notice. Regular daily ad of the show and house, however, appeared in the usual form, with Miss Lawrence regularly credited, also the featured people.

There was no mention either in the extra space insertion of the producer, Sam H. Harris, nor the authors, Moss Hart, Kurt Weill and Ira Gershwin. Understood that the idea to reprint VARIETY's notice was made by Hart, Harris readily assenting. Former is visiting the latter at his new Palm Beach home. Stunt, which cost around $1,000, was a gesture to VARIETY, which explains the exclusion of other credits. Hart figured that only a small percentage of laymen read VARIETY and he wanted to prove that it isn't as hard boiled as it's reputed to be.

Ed Sullivan, N. Y. News columnist, came into 'Crazy With the Heat,' revised edition, via Gracie Barrie and Betty Keen, songstress and dancer in the original production, who argued that they thought the revue had a chance with refurbishing. Respecting their judgment, the newspaperman looked it over and figured that a Loew's State-type of staging—the vaudeville idea, as with his former units—might do the trick. He himself accounted for some $3,500 cash additional, Dave Marx, the toyman, $1,500 more, and the difference up to $15,000 more working capital came from the original producer, Kurt Kasznar, and his family. Latter is supposed to be over $130,000 in the box already on the show.

Diosa Costello went into 'Crazy' the same day she was to have opened at Loew's State, N. Y., but did so at much less, following Sullivan's getting her out of the commitment with Sidney Piermont. News' columnist leaves for a fortnight in Miami, Feb. 22.

While stage performances in London are sporadic, shows are playing the provinces with regularity. Recently the D'Oyly Carte Opera Co. played a four-week date in Glasgow, with very good business drawn, the Gilbert and Sullivan troupe following that date with two weeks in Blackpool.

While the D'Oyly Cartes would be a natural over here as previously, the outfit apparently has no intention of coming over this season. Hazards of an ocean trip is a probable reason. The G. & S. organization drew capacity at the Martin Beck theatre, N. Y. Private advices reaching here are to the effect that the American visits were due solely to Beck.

During an attack of grippe which caused the postponement of the 'Lady in the Dark' premiere at the Alvin, N. Y., Gertrude Lawrence lost around six pounds. Despite the fact that the star is on the stage during most of the performance, she regained several lost pounds last week.

Miss Lawrence strictly adhered to medical advice and was forced to decline any other engagements, including benefit appearances. 'Lady' has been drawing standee attendance and is approximately tied with 'Panama Hattie' in leading Broadway b.o.'s.

Charles McCarthy, a Boston youngster who drove the ambulance donated to France through a benefit performance of 'Life With Father,' Empire, N. Y., visited Empire's backstage last week. He is leaving soon to do similar duty with the 'Free French' troops in Africa. Originally the Father' ambulance was to have been given to Finland, but the invasion of that land was over before it could be delivered.

The players have arranged to supply McCarthy with cigarettes and chocolate during his service in Africa.

One day last week the wrong telephone number of the Longacre theatre, N. Y., where 'Johnny Belinda' is playing, was printed in the show's ad that appeared in the Times. Number appearing was that of a residence where the phone rang so often that a complaint was made to the New York Telephone Co.

It was quickly arranged that all calls for that number be switched to the theatre throughout the day.

Among the young producers entering Broadway ranks this season is Everett Wile, who will debut with 'Five Alarm Waltz,' by Lucille S. Prumbs, new author. Wile, said to be wealthy, was in on the Coast showing of 'Our Town,' originally produced by Jed Harris. This season he revived 'Here Today' in Boston and Chicago.

Harris was originally mentioned as being interested in 'Waltz,' but Wile is apparently presenting the play on his own.

'No For An Answer,' by Marc Blitzstein, presented at Mecca Temple, N. Y., on three successive Sunday evenings recently, grossed around $8,500. Production nut was close to $12,000. No scenery was used, nor was an orchestra engaged, and most of the money expended was for labor and the actors, who received small amounts, but also were paid for rehearsals. Described as an 'opera,' it is still a Broadway possibility.

Dorothy Johnson, who has been house manager at the Civic Repertory, Boston, during the run there of 'Life With Father,' has been appointed second agent by the Oscar Serlin organization to assist Philip Stevenson in the advance work in Philly. Show is expected to finish its sensational run in Boston either Feb. 22 or March 1. Miss Johnson is formerly Boston p.a. for the Shuberts.

Foldup of Palmerton's Port., Me., Stock Has Natives Taking Sides

Portland, Me., Feb. 4.

Local comment on Guy Palmerton's winding up of his 37 weeks of legit stock in this city appears to break down into two opposing segments. One group of ex-followers of the late enterprise hold that the manager was too gentle with local population who rewarded his strenuous efforts to provide town with entertainment of a cultural type by allowing him to drop $15,000 without any convincing recognition of the contribution. The other faction maintains that the former occupant of the Civic was given every possible break by Portland citizens, and that his departure is directly attributable to his own limitations as a showman.

Latter critics point out that manager's citation in a N. Y. Times' piece of initial nose-diving of enterprise with staging of 'Outward Bound' is interesting chiefly because it was something that might easily have avoided, and that as matter of fact manager had been warned in advance. (Empire filmer tried to show pic version of Sutton Vane's supernatural drama at time of its release, but reaction of fundamentalist audience was so violent that it had to be yanked after two unreelings.) Palmerton, however, they argue, insisted on going through with production, with results that were relatively mild, considering audiences didn't tear up the fixtures.

Another Stance

Palmerton's partisans aver, on the other hand, that he continually sought advice of leading citizens, and that any examples of poor judgment must be laid to bum steers from this quarter. And that resident film men were non-cooperative if not obstructive, looking upon the enterprise as if it were a bingo encampment instead of a civic-betterment project.

All observers seem to agree, however, that Palmerton's last-minute attempt to recoup by firing regular company and importing troupe with lyric trimmings was a major lapse in showmanship. Ads in the dailies gave impression that first production of new setup was musical roadshow 'direct from New York.' 'Babes in Toyland,' production in question, hadn't been given legit staging for some years in N. Y., and locals who realized this felt cheated in advance and stayed away. Following week same company revived two Gilbert and Sullivan operettas, this time with no extravagant billing and a local am singing the soprano leads. From purist's New York first company to frank semi-amateurism was too dizzy a descent for most ticket-buyers, and their en masse absence dealt the already groggy enterprise a horizontalizing tap on the chin.

Palmerton personally registered strongly around here, and his goodgrace exit impressed everyone.

Name Concert Dates

(Feb. 5-12)

John Boles—Municipal auditorium, Shreveport, La. (6); Auditorium, Tyler, Texas (7).

Jascha Heifetz—with Cleveland orchestra, Carnegie hall, N. Y. (5); Bushnell auditorium, Hartford, Conn. (9); Schwab auditorium, State College, Pa. (11).

Josef Hofmann—with N. Y. Philharmonic, Carnegie hall, N. Y. (6-7).

Jose Iturbi — Knoxville H. S., Knoxville, Tenn. (6).

Yehudi Menuhin — Town hall, N. Y. (12).

Lily Pons—Memorial auditorium, Raleigh, N. C. (7); Auditorium, Savannah (10).

Paul Robeson—Civic auditorium, Pasadena, Cal. (5).

Albert Spalding—with Philadelphia orchestra, Academy of Music, Philadelphia (7-8).

Rise Stevens—Carnegie Hall, N. Y. (12).

Danny Meinick moved from the Cort, N. Y., to the Fulton to help with the ticket sale for 'Arsenic and Old Lace.' Latter house has opened a second ticket window.

'The Little Foxes,' currently in the south on the way back east from a coast-to-coast tour, may play a return engagement on Broadway.

Shows in Rehearsal

'Bundles from Britain'—Al Lewis, Max Siegal.

'Brooklyn Biarritz'—Mary Louise Elkins, Clarence Taylor.

'Five Alarm Waltz'—Everett Wile.

'My Sister Eileen' (road)—Max Gordon.

'The Doctor's Dilemma' (revival)—Katharine Cornell

Geo. Hale Sues Jolson To Reopen 'Hats' This Season, or Pay 100G

Saturday night (1), after the final performance of 'Hold On to Your Hats,' Shubert, N. Y., Al Jolson was served action started by Georgie Hale, producer of the show with the star. Unless the star reopens 'Hats' on Broadway or the road this season Hale seeks damages for $100,000. Plaintiff concedes that the production, which originated with him, was in the clear, and avers it earned from $4,000 to $6,000 weekly.

Early in January Jolson asked that the 'Hats' corporation be dissolved for tax purposes. Hale, through his attorneys, Fitelson & Mayer, agreed to turn back his stock only if Jolson would play the show through 1941, or long as it made money, and if the star would assume liability for all possible operating losses. Musical had then been dark one week because Jolson contracted incipient pneumonia, but the star assented to Hale's proposal, it is claimed. Suddenly Jolson announced the closing of the show.

Hale has a 20% interest in 'Hats,' his investment being $15,000. He infers that unless the show relights and if Jolson embarks on any other activity during the year, he will attempt injunctive redress. Hale argues that there are few musicals on tour now, but that next season the road will be more competitive for that class of attraction. Jolson plans road showing 'Hats' at that time.

PARENT UNION'S NEW LAW BURNS DESIGNERS

United Scenic Artists union was in a turmoil for several days last week after it was announced that an amendment inimical to designers and studio operators had been made to the constitution of the Brotherhood of Painters, Decorators and Paperhangers, parent union of the scenic group. The amendment had been adopted at a meeting in Lafayette, Ind., where the brotherhood headquarters. The designers protested, believing their right to enter into individual contracts with theatrical producers would be taken away and participated in by scene painters. Latter get $18 per day, while designers receive $1,000 minimum to devise a three-set play.

Fred Marshall, business agent for the scenic union, stated that the amendment was not fully understood, also that it could not become effective until clarified. He said that designers will continue to operate under the by-laws, which provide for designers making their own arrangements with producers. Scenic union, at a meeting in its New York office Monday (3), voted to work to rescind the amendment, which would do away with the requirement of filing separate contracts for the designing and painting of sets.

Scenic artists union is an unusual setup, in that studio owners, designers and painters are members on the same footing. There are between 25 and 30 studio operators, 75 designers most of whom do not actually paint, while the total membership is around 350.

Questioned amendment was said to have been introduced by Edward A. Morange, formerly of Gates & Morange, at one time active scenic studio. Others say he objected to the importance developed by designers in recent years, which affected the business of older studio operators, some of whom have gone out of business. Morange came out for the painters, who he thinks should be credited in programs, being quoted to have said: 'It is a disgrace for a painter to bear the stigma and humillation of having someone direct the composition of his work,' meaning the designers.

Shuberts Would Take Over Chi's Great Northern

Chicago, Feb. 4.

Shuberts are slated to take over the Great Northern, which has been dark for a long time. House has not been a recognized legit spot for many years and has been used principally by the Federal Theatre Project. For the Federal Theatre it housed the original 'Swing Mikado.' It is now used for Monday concerts by the Illinois Symphony for the Music Project.

Last big regular professional show in the house was 'The New Moon,' more than 10 years ago. Shuberts are understood considering the house for its stock musicals.

Shuberts, with the Great Northern, would have the legit housing situation in Chicago pretty well sewed up. Of the seven available legit houses in town now, the Shuberts now have their fingers in four, the Grand, Selwyn, Harris, Studebaker. Erlanger is the United Booking Office house and the remaining one is the Blackstone, an indie now rented out until June by Oscar Serlin for 'Life With Father.'

It is figured that the real reason for the takeover, first of the Studebaker and now of the Great Northern, is the Shubert's burnup over Serlin's passing up any Shubert deal to operate solo in the Blackstone. There have been several reports of producers going into the Great Northern for independent presentation in Chicago, and these reports may have influenced the Shubert move to take control of the house after it had been on the open rental market these many years.

Bobby Crawford Denies 'Yokel Boy' Closing Embarrassed Chorines

Miami Beach, Jan. 28.

Editor, VARIETY:

After the shock of Joe Penner's passing and a trip to California to take care of the funeral, I arrived here Friday for a little rest and to work on a new play—only to get an additional undeserved blow through the reading of the enclosed unjust and untrue article in this week's VARIETY.

It seems tough enough to lose pal—to have to close a show, however, one can and must take those things on the chin and keep punching. However, when one is faced with an item in print without at first given a chance to refute such a falsehood, then it becomes almost unbearable.

The article is, to say the least, unfair to Ray Henderson and myself, because firstly we paid our obligations and besides on the morning following Joe's passing I explained to the entire company, our regret in being forced to close the show due to an act of God, etc.

I then called one of the girls (Marjorie Johnson) aside, told her to check with all the girls and ascertain if any of them needed any extra money to get back to New York. Miss Johnson came to see me at the hotel about two hours later and told me that only one girl needed help and I took care of her. I again at that time asked Miss Johnson if she was positive all other girls were provided for and she answered yes.

Miss Johnson is a member of Chorus Equity and I ask that you check with her on this.

Remember, we had taken care of all our obligations to the company, but both Ray Henderson and myself did take the precaution as outlined above, and did in spite of our own troubles give full thought to the problems of our girls.

Your article makes it appear as if our actions were to the contrary, and that we acted like a couple of shoestring producers and heels and surely after all these years, you should know us better than that.

Bobby Crawford.

The story in question, which came from Equity sources, detailed the plight of some chorus girls due to 'Yokel Boy's' sudden closing, but stated that the producers had fulfilled their obligations.

Chi Finishes Strong; 'Blossom' Fine $13,000, 'DuBarry' $23,000, Still Big

Chicago, Feb. 4.

Loop was hurt slightly at the beginning of the week by the season's toughest snow storm, which tied up traffic and made the downtown streets a happy place to scram. But with clearing weather in midweek the boxoffice perked sharply and all four shows finished smartly.

'Blossom Time' remains one of the miracles of show business. Though it's revived more often than a preliminary stumble-bum, the piece continued to show remarkable resistance to time. Came up again with a bang-up boxoffice rating and looks to stick around here for several more weeks. With the click of this show the Shuberts will probably produce a string of these operettas in the Grand, more or less on a stock basis. Figure to follow with 'Student Prince.'

'DuBarry Was a Lady' dipped somewhat during the first three days, but also rang up capacity houses for the remainder of the week and finished with a money total only slightly off the full mark. Lines continue to haunt the boxoffice and during some hours the house has been using two windows. However, the slight dip during the first days was looked upon a bit quizzically by the management and just to play the cards close they slapped a 'last weeks' tag in the ads.

Estimates for Last Week

'Blossom Time,' Grand (2d week) (1,200; $2.75). On first full week showed up with rousing $13,000. This musical never fails to make the grade.

'DuBarry Was a Lady,' Erlanger (6th week) (1,300; $3.30). Off a bit early in the week, but whanged back to sellout trade at the finish to bring home brilliant $23,000.

'Life with Father,' Blackstone (49th week) (1,200; $2.75). It was in February, 1940, that this show first arrived in town and it's still here. Will have big anniversary celebration with Oscar Serlin in for the festivities. Serlin has house until June. Still getting real coin and last week's takings around $14,000.

'Pins and Needles,' Studebaker (7th week) (1,200; $1). With parties is playing to near capacity and came up with strong $8,000 last week, which is powerful pace in view of the straight dollar top.

LUNTS HAVE $30,000 ADVANCE SALE IN S. F.

San Francisco, Feb. 4.

Biggest advance sale in the history of the Curran is claimed for the Lunt-Fontanne 'There Shall Be No Night' opening an 11-day stand Tuesday (11). With opening more than a week off, it's claimed reservations have passed the $30,000 mark.

Show jumps here from Seattle and will lay off a day for scenery-freshening, etc., giving Frisco a Tuesday curtain.

Phenominal click of 'Maid in the Ozarks' at the Alcazar has this town groggy. Despite cut-rate passes, which make $1.65 tickets go for 55 cents, house grossed estimated $6,000 on first week of nine performances. Biz is so good they're easing up on the part-paid ducats. The originally planned two-month run is virtually assured, if biz continues at this rate, despite critics' pans.

'Dinner' 15G in Cincy

Cincinnati, Feb. 4.

Junior 'Hellzapoppin,' with Billy House and Eddie Garr, is racking up the burg's top road show gross of the season this week. In the 2,500-seat Taft auditorium at $3.30 high, it had a $20,100 advance sale on eve of Sunday (2) night opening, which was a turnaway.

Last week, 'Man Who Came to Dinner,' with Clifton Webb, pulled swell at approximately $15,000 in the 1,400-seat Cox. Top was $2.75.

Bridgeport, Feb. 4.

'Man Who Came to Dinner,' Alexander Woollcott-starring troupe, began new four-day one-nighter Saturday (1) at municipally-operated Klein Memorial theatre. Performance, first legit date of recently-opened auditorium, was sell-out, gross bettering estimated $3,100 at $3.30 top.

'Ladies In Retirement,' with Flora Robson, skedded at Bridgeport 1,500-seater for Saturday (8) matinee and night. Lunt-Fontanne 'There Shall Be No Night' comes in May 1 under benefit auspices of Junior Guild.

Gladys Hurlbut, author of 'Tonight We Dance' and the book of 'Higher and Higher,' working on a new comedy at her Woodstock, N.Y., home.

Current Road Shows

(Feb. 5-15)

Ballet Russe de Monte Carlo—Philharmonic auditorium, Los Angeles (5-8); Civic auditorium, Pasadena (10); Philharmonic auditorium, Los Angeles (11); Savoy, San Diego (12); Bridges auditorium (Claremont), Cal. (13); Philharmonic auditorium, Los Angeles (14-15).

'Blossom Time' (Everett Marshall)—Grand, Chicago (5-15).

'Claudia' (Frances Starr, Donald Cook)—McCarter, Princeton (8-7).

'DuBarry Was a Lady' (Bert Lahr)—Erlanger, Chicago (5-15).

'Hellzapoppin' — Taft, Cincinnati (5-8); Nixon, Pittsburgh (10-15).

'Ladies in Retirement' (Flora Robson)—Court Square, Springfield, Mass. (5); Bushnell auditorium, Hartford, Conn. (6); Albee, Providence (7); City auditorium, Bridgeport, Conn. (8).

'Life with Father' (Lillian Gish)—Blackstone, Chicago (5-15).

'Life with Father' (Dorothy Gish)—Repertory, Boston (5-15).

'Little Foxes' (Tallulah Bankhead)—Auditorium, Beaumont, Texas (5); Municipal auditorium, New Orleans (6); City auditorium, Jackson, Miss. (7); Auditorium, Memphis (8); Robinson auditorium, Little Rock, Ark. (10); Temple, Birmingham (11-12); Lenier auditorium, Montgomery, Ala. (13); Erlanger, Atlanta (14-15).

Littlefield Ballet—A. & M. college, Stillwater, Okla. (6); Auditorium, Tulsa (7); U. of Oklahoma, Norman, Okla. (8); Auditorium, Oklahoma City (10); College for Women, Denton, Texas (11); A. & M. college, College Station, Texas (12); Simmons U., Abilene, Texas (14); Auditorium, Ft. Worth (15).

'Male Animal' (Elliott Nugent)—National Washington (5-8); Locust, Philadelphia (10-15).

'Man Who Came to Dinner' (Clifton Webb)—Erlanger, Atlanta (5-6); Bijou, Chattanooga (7); Bijou, Knoxville, Tenn. (8); Ryman auditorium, Nashville (10); Auditorium, Memphis (11-12); Municipal auditorium, Shreveport, La. (13); Melba, Dallas (14-15).

'Man Who Came to Dinner (Alexander Woollcott)—Ford's, Baltimore (5-15).

'Night Must Fall' (Florence Reed, Douglass Montgomery)—Royal Alexandra, Toronto (5-8); His Majesty's, Montreal (10-15).

Original Ballet Russe—His Majesty's, Montreal (5-8); Royal Alexandra, Toronto (10-15).

'Out of the Frying Pan'—Maryland, Baltimore (5-8).

'Philadelphia Story' (Katharine Hepburn)—Colonial, Boston (5-8); Forrest, Philadelphia (10-15).

'Pins and Needles'—Studebaker, Chicago (5-15).

'Popsy' — Lyric, Allentown, Pa. (5); Playhouse, Wilmington, Del. (6-7).

'Pygmalion' (Ruth Chatterton)—Sunshine, Albuquerque (5); Plaza, El Paso (6); Rialto, Tucson (7); Orpheum, Phoenix (8); Biltmore, Los Angeles (10-15).

'Sim Sala Bim' (Dante)—English, Indianapolis (5-8); Hartman, Columbus, O. (9-15).

'Talley Method' (Ina Claire, Philip Merivale)—Shubert, New Haven (6-8).

'There Shall Be No Night' (Alfred Lunt, Fontanne)—Empress, Vancouver (5); Metropolitan, Seattle (6-8); Curran, San Francisco (11-15).

'Time of Your Life' (Eddie Dowling)—Locust, Philadelphia (5-8); National, Washington (10-15).

'Tobacco Road' (John Barton)—Nixon, Pittsburgh (5-8); Paramount, Toledo, O. (10); Palace, Canton, O. (11); Capitol, Steubenville, O. (12); Ritz, Clarksburg, W. Va. (13); Fairmont, Fairmont, W. Va. (14); Maryland, Cumberland, Md. (15).

Theron Bamberger left last night (Tuesday) for the Coast, where he'll spend a month vacationing and lining up actors for this summer at the Bucks County playhouse, New Hope, Pa.

Rosalind Ivan, currently in 'The Corn Is Green,' at the National, N. Y., will read Strindberg's one-act 'The Stranger' at the American-Scandanavian reception Tuesday (11).

Dante Big $10,000 In St. L.; Holds 2d W'k

St. Louis, Feb. 4.

After three dark weeks, the American theatre reopened last week (27) with Dante and his Sim Sala Bim show. B.o. activity was so good the show was held over for a second week, with an extra matinee Sunday (2) being thrown in to accommodate the ducat purchasers.

First week grossed an estimated $10,000, big considering the top of $1.50.

'TIME LIFE' BIG $15,000 FINE PHILLY

Philadelphia, Feb. 4.

Another quick closing, resulting in the cancellation of one week of a skedded fortnight's engagement, was tallied when Fortune Gallo stated that he was closing his San Carlo Opera Co. Saturday night (1) at the Forrest instead of continuing the week as proposed. "Too much opera in the city right now for two weeks of repertory to compete with,' was his reason.

As opposed to this disappointment there was plenty of jubilation at the Locust last week where 'The Time of Your Life' got over $15,000 in its first week. Fact that it was an ATS subscription show made showing all the more praiseworthy. With Forrest and Erlanger both dark, Saroyan prize-winner hasn't any competish this week.

Estimates for Last Week

San Carlo Opera—Forrest (one week only) (1,800; $2.28). Decided to call it a stay here after Saturday night, thus cancellating second week. Some pickup after that announcement was made, but gross was under $8,000. 'Philadelphia Story' next Monday (10) for third trip.

'Time of Your Life'—Locust (1st week) (1,500; $2.50). Fine start for this Saroyan comedy, which is on ATS subscription. Beat $15,000, and expects to go higher this week. 'Male Animal' comes in next Monday (10).

'TALLEY', $12,200, OKAY IN BALTIMORE

Baltimore, Feb. 4.

Both legit houses are active again, with the Alex Woollcott troupe of 'Man Who Came to Dinner' in at Ford's for a two-week stand, and preem of 'Out of the Frying Pan' set for tonight (Tues.) at the indie booking Maryland. Latter is by Francis Swann, localite, and is being presented by William Deering and Alexander Kirkland, with Arthur Hopkins billed as sitting in on direction.

Last week 'The Talley Method,' Playwrights' production of the new Sam Behrman play with Ina Claire and Philip Merrivale in the leads, built to proper level. When play opens at the Miller, N. Y., late next week it will be known as 'The Mechanical Heart.'

Estimates for Last Week

Columbia Opera Co., Maryland (1,550; $1.67). Perennial repeater of Armand Baggerrossi company chalked up biggest week in years. Presented 10 operas in eight days and smartly utilized Michael Bartlett, Adrianna Cassellotti (Snow White), Ethel Barrymore Colt and Lanny Ross to draw rosy $11,900.

'The Talley Method,' Ford's (1,900; $3.33). New Playwrights Co. efforts with Ina Claire and Philip Merrivale in leads, built nicely to satisfying $12,200 for the week.

'Animal' Winds Up In Hub With $14,000

Boston, Feb. 4.

'Philadelphia Story' opened at the Colonial last night (3) with near sellout chalked up for it in advance. 'Life with Father' continued strong in its 19th week at the Civic Repertory. The Majestic, dark as a legit house most of the time, became competish factor in the theatre district last week with the opening of 'Fantasia.' However, the legit situation here is quite barren, with hardly anything on the advance booking sheets.

Estimates for Last Week

'Life with Father,' Civic Repertory (18th wk) (965; $2.75). Still hot stuff at the b.o., garnering hefty $14,700 last week. Expected to play through current month before moving on to Philly.

'The Male Animal,' Wilbur (2d wk) (1,227; $2.75). Enjoyed good two-week visit, winding up with very pleasing $14,000.

'Lady In Dark', $32,000, Ties 'Hattie' For B'way B.O. Lead; 'Arsenic' 17G, Also SRO, 'La.' Down to $25,000

Estimates for Last Week

Key: C (Comedy), D (Drama), R (Revue), M (Musical), F (Farce), O (Operetta).

'Arsenic and Old Face,' Fulton (3d week) (CD-938; $3.30). For some reason business along the line sagged at midweek, then surged back strongly by Saturday; but sellout pace of new laugh hit continues, with takings around $17,000 level.

'Boys and Girls Together,' Broadhurst (18th week) (R-1,160; $4.40). Ed Wynn revue picked up somewhat against the trend, but is still under expectations; rated around $18,000.

'Boudoir,' Golden (D-789; $3.30). Presented by Jacques Chambrun; written by Jacques Deval; one of three arrivals this week; opens Thursday (6).

'Cabin In The Sky,' Martin Beck (15th week) (M-1,214; $3.30). With strong Sunday start colored musical improved, though not as much as expected; around $14,000; last Sunday (2) matinee sold out.

'Crazy With the Heat,' 44th St. (1st week) (R-1,325; $3.30).—Resumed Thursday (30) with scale reduced; press mostly adverse for second time, but strong weekend business indicates revue has fairly good chance.

'Flight to the West,' Guild (5th week) (D-956; $3.30). Eased off somewhat, with takings around $7,500; said to better even break; played Sunday to better than usual attendance.

'George Washington Slept Here,' Lyceum (15th week) (C-1,004; $3.30). Making grade as moderately successful and slated to play into March; will soon play two performances Sunday; approximately $9,000.

'Hellzapoppin,' Winter Garden 124th week) (R-1,671; $3.30). Continuing to command such good business that plan for 'Crazy House' to follow as been deferred from spring to later on; around $25,000.

'Ice Happens on Ice,' Center (17th week) (R-3,087; $2.75). Among the top grossers on the list; though capacity is much higher, gross around $32,000 is quite satisfactory and means okay operating profit; last week saw further improvement by $2,000.

'Johnny Belinda,' Longacre (20th week) (D-1,016; $3.30). Also making operating profit after cutting down overhead and date is indefinite; rated over $6,500.

'Lady in the Dark,' Alvin (2d week) (M-1,357; $4.40). Bettered $32,000, which means standees in attendance that night. 'Panama Hattie' for list leadership and new music play looks like a cinch.

'Liberty Jones,' Shubert (D-1,405; $3.30). Presented by Theatre Guild; written by Philip Barry; there is also some incidental music; opens tonight (5) after drawing mixed opinion out of town.

'Life With Father,' Empire (64th week) (C-1,005; $3.30). Eased off a bit last week, but with gross around $18,000 pace was virtual capacity again.

'Louisiana Purchase,' Imperial (36th week) (C-1,456; $4.40). Also eased off in recent weeks after making great gross record; takings around $25,000, which keeps it among leaders; Victor Moore back in cast.

'Man Who Came to Dinner,' Music Box (68th week) (C-1,013; $3.30). Strong Saturday counted in holdover laugh show scoring another winning week; approximated $11,500, which was under previous week.

'Meet the People,' Mansfield (6th week) (R-1,000; $3.30). Coast revue is earning some operating profit, but business still disappointing; after improving dipped backward; dipped under $11,000.

'Mr. and Mrs. North,' Belasco (3d week) (C-1,000; $3.30). Perked up encouragingly last week, when there was oflish trend; rated around $9,500, or about $2,300 over previous week.

'My Sister Eileen,' Biltmore (6th week) (CD-991; $3.30). Chicago company being readied; Greenwich Village comedy getting excellent business, with the takings at $16,000 and better.

'Old Acquaintance,' Morosco (6th week) (C-939; $3.30). Drawing substantial business and will probably extend well into the spring; rated around $14,000, with some theatre parties helping.

'Pal Joey,' Barrymore (6th week) (M-1,104; $4.40). New musical started like real hit and is drawing capacity nightly; somewhat under that gait in afternoons; $22,000.

'Panama Hattie,' 46th St. (14th week) (M-1,347; $4.40). Leadership contested by 'Lady in the Dark,' but pace unaffected; gross tops $32,000, with standees present.

'Separate Rooms,' Plymouth (45th week) (C-1,107; $3.30). Both house and show making weekly profits and business warrants continuance into spring; approached $9,000 with good Sunday start.

'Tanyard Street,' Little (D-530; $3.30). Presented by Jack Kirkland; written by Louis D'Alton; opened Tuesday (4) after being delayed through recasting.

'The Corn Is Green,' National (10th week) (D-1,162; $3.30). Season's straight drama click holding up and English play looks set for balance of season; standees right along; tops $20,000.

'The Cream in the Well,' Booth (D-712; $3.30). Final and 3d week; rated under $4,000; 'Claudia' slated to follow in next week.

'Tobacco Road,' Forrest (372d week) (C-1,107; $1.10). Sunday matinee and night credited with keeping champ stayer in town; estimated over $4,000, which means some profit for lowest scaled show on list.

Revivals

'Twelfth Night,' St. James (10th week) (D-1,526; $3.30). Final weeks to be announced, with tour to follow; has been easing off since holidays after topping straight show clicks; around $16,500 last week.

'Charley's Aunt,' Cort (16th week) (C-1,064; $3.30). Longest stayer among revivals this season and slated to play into spring period; rated around $9,000, which means fair profit.

'Hellz' Big $15,000 In Indpls., Where It Only Got 11G as Vaude Unit

Indianapolis, Feb. 4.

'Hellzapoppin,' at the English for three nights and matinee first-half of last week was sold out several days in advance of play date to ring up estimated $15,000 at $3.30 top, which is the best record of the season.

When Olson and Johnson played the vaudefilm Lyric here three years ago just prior to taking the original 'Hellz' into New York to expand it into present form, the show, with a picture, did $11,000 for the week at 40c top in 30 performances.

English is dark this week, but reopens Monday (10) for a full week of Dante and his magic show.

'Hellz' $15,000 in Louisville

Louisville, Feb. 4.

Billy House and Eddie Garr, in 'Hellzapoppin,' played Memorial Aud two days (31-1), with Saturday matinee, to capacity biz, racking up approximately $15,000 for the three performances. Piece was the only musical to hit the town so far, and show was excellently sold with plenty of co-op ads in the papers couple weeks in advance of the engagement. Memorial Aud seats 2,400 and road shows seldom fill the house to capacity.

Tallulah Bankhead in 'The Little Foxes' is the only touring show booked for February.

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Play Out of Town

WE WERE HERE FIRST

Clevel nd, Jan. 29.

Force in three acts (five scenes) by Josebh Bryan 3d and Finis Farr; directed by Frederic McConnell ond produced at Play House, Cleveland, Jan. 20, '40. Setting by Guglielmo Daves.

What Finklehoffe and Monks did for Virginia Military Academy in 'Brother Rat' Joseph Bryan 3d and Finis Farr try to do for their Princeton alma mater in this new farce tried out by the Play House community group. Their satire on campus life gets off blithely, turns somewhat fantastic at the half-way mark and ends up as a screwball farce that looks like one of the Princeton Triangle Club's shindigs. As straight comedy it resembles a college-class play, but it has possibilities as a book for a musical comedy.

Despite its corniness, 'We Were Here First' has some amusingly brisk dialog and bouncing action in its better moments. Although Bryan is a magazine writer (formerly associate editor of Satevepost), now collabing on a circus film with Farr, radio scripter of 'Mr. District Attorney,' it's doubtful if their first play will ever reach Broadway in its present form. Situations are so thin and nutty, dragging out that old gag about giving the country back to the Indians, that it taxed even local Princetonians' sense of humor on first night.

A couple of college practical-jokers, who are daffier than the cadets in 'Brother Rat,' start the nonsense by cooking up cockeyed movement to restore the American Indians to their original glory. Inspiration for the idea is a Broadway actress, voted the senior class favorite, who claims she is a descendant of Pocahontas on a visit to fraternity house with her ingenious manager. When a football halfback, who is part Cherokee, is wheedled into the stunt, with the two being ballyhooed in college paper as America's first king and queen, it has nationwide repercussions.

Campus becomes completely disrupted by a steady stream of enthusiastic clubwomen, Indians and assorted zanies until the distracted dean orders them to call it off or lose their diplomas. The authors only make the exaggerated action seem episodic, weakening the laughs with heavy splurges of hokum. Some drastic pruning might help tighten it up.

Hokiest part is the sudden entrance of a fanatical Nazi bundleader, whose gunmen take over the collegiates' network broadcast plugging an Indian mail-order business, and force them to air their fascist propaganda. This business is so artificially melodramatic that it doesn't fit into the comedy pattern. Even the arrival of G-men doesn't restore the yarn to a farcical footing. Fadeaway act is exceptionally talky, but everything comes out all right when the actress' manager virtually blackmails the outraged dean in giving the jokesters their diplomas.

Entire action takes place in a large frat house room, which resembles a Marx Bros. madhouse, with 40-odd students in 'beer suits,' Indians and bundsmen milling around. Daffiest character is a Hindu professor who turns out to be an ex-barbecue cook. Another is an Indian chief in full regalia who brings in his tribe of redskins for the final curtain.

While straining at every gag and incident for laughs, play's done exuberantly by the Play House, with several engaging performances. James Rafferty and Henderson Forsythe practically carry the sport as the two incorrigible pranksters. Betty Hornaday also okay.

Michael Todd has bought the rights to the script for professional production as a play or musical comedy.

Pullen.

Play on Broadway

Crazy With the Heat

(RESTAGED OPENING)

Revue in two acts, presented and staged by Kurt Kaszner. Stars Willie Howord ond Luella Gear. Sketches by Lew Brown, Sam E. Werris, Max Liebmon, Arthur Sheekman, Matt Brooks; music and lyrics mostly by Irvin Graham; additional music by Rudi Revil; 'Yes, My Darling Daughter,' by Jack Lawrence; musical arrangements and orchestrations by Jacques Dallin; settings ond lighting, Albert Johnson; choreography, Catherine Littlefield, with some dances staged by Carl Rondall; costumes by Lester Polakov and Mario Humans; musical director, Harold Levey. At 44th Street, N. Y., reopening Jan. 30, '41; $3.30 top.

Cast: Willie Howard, Luella Gear, Gracie Borrie, Tip, Tap and Toe, Carlos Ramirez, Don Cummings, Betty Kean, Ted Gary, Mary Raye and Naldi, Diosa Costello, Matthew Smith, Victor Borge, Harold Gary.

Ed Sullivan, N. Y. News' columnist, saw some saving graces in the original flop version of this revue and stepped in as partial angel, restager and recaster for a reopening. It bowed again at the 44th Street, after being closed for 12 days, but the alterations made by Sullivan were evidently far from enough. While it is not as bad at $3.30 as it was at $4.40, 'Crazy With the Heat' is still an also-ran among the current Broadway tune shows.

Mary Raye and Naldi, the superb ballroom team; Diosa Costello, Puerto Rican conga firebrand; Carlos Ramirez, excellent South American tenor, and Tip, Tap and Toe, crackerjack colored challenge hoofing trio from vaude, are the new additions to the cast. Missing from the original lineup are Richard Kollmar, Marie Nash, Carl Randall and Luba Rostova, which would indicate that the current talent lineup is much costlier. However, the salary cuts taken by some, especially Willie Howard and Luella Gear, might have balanced the budget.

Aside from great click registered by Raye and Naldi opening night, a good hoofing session by the colored trio and a fine impression made by Ramirez with the encore singing of 'Figaro' from 'The Barber of Seville,' there is nothing in the revue to raise it above its original low standard. A couple of new sketches have been provided Howard and Miss Gear, but they are no better than the original material, if not worse. 'Lonely Hearts,' for instance, is strictly burlesque double entendre. It was written by Matt Brooks. 'Size 9½,' supplied by Lew Brown, who helped Sullivan with the revival, is very slow and not flattering to Miss Gear.

Some of the other sketches are retained, but hardly strengthened by restaging. Ditto some of the production routines, one of which was completely switched around to give Raye and Naldi their first opportunity closing the dull first half. Most of the show's better meat is in the second portion, the first being punchless from Miss Gear's gabby opening bit with a trained goose up to the ballroom team's entrance.

As in the original version, Gracie Barrie, Ted Garry and Don Cummings do well with what singing, dancing and comedy material, respectively, that they have. At its first opening, 'Heat's' score was entirely BMI. Now, however, Jack Lawrence's 'Yes, My Darling Daughter,' an ASCAP tune, has been injected for delivery by the cute Miss Barrie.

It's said that $20,000 was sunk by Sullivan and others into reopening this show. It won't be recouped.

Scho.

Yiddish Play

WORLDS APART

Droma in two acts (eight scenes) by Benjamin Ressler; presented by the Yiddish Art Theatre (Maurice Schwartz); staged by Schwartz; stars Schwartz; features Samuel Goldenburg, Lucy German; music, Sholom Secundo; settings, Alex Chertov; opened at the Yiddish Art theatre, N. Y., Jan. 22, '41; $2.75 top.

Cast: Maurice Schwartz, Somuel Goldenburg, Lucy German, Luba Kadison, Victor Marcus, Judith Abarbanell, Muni Serebrov, Louis Hyman, Isidore Casher, Mark Schweid, Anna Appel, Anatol Winogradoff, William Secunda, Leon Gold, Morris Bielowski, Misha German, Mischa Fiszohn, Honnah Hollander, Lazar Freed, Pauline Hoffman, Ben Zion Schoenfeld, Meyer Sherr, Goldie Lubritzki, Liza Varon, Abraham Teitelbaum, Sol. Krause, Morris Steinberg, Celia Lipzin, Samuel Lehrer, Morris Krohner, Ben Zion Katz.

The boxoffice lethargy into which Maurice Schwartz's Yiddish Art Theatre troupe has sunk of recent seasons seems to have become overcome to a considerable extent by the actor-manager's third production of the season, 'Worlds Apart.' A timely drama with an underlying refugee theme, and spurred by Schwartz in the lead role, 'Worlds Apart' is the Yiddish Art's first definite click in several seasons and should considerably reap back some of the losses sustained by the outfit's two early-season b.o. flops.

'Worlds Apart,' which has a sock first act and a second that tapers off, is one of those 'sleepers,' with an outlay that seemingly is below the standards for Schwartz productions. But smash performances down the line, with Schwartz setting the pace, plus neat staging that offsets much of the cheapness that the drab settings suggest, indicate that it's the top Yiddish-language click on the Second avenue boards this season.

The timeliness of the play's theme is conspicuous by the rabbinical character that Schwartz plays, a refugee come to America from a small European town to encourage help from Jews for their Nazi-persecuted brothers. That he learns in this country of immigrant Jews' difficulties, not too dissimilar from those of the people in his homeland, is one of a pair of problems that he must face in order to achieve his primary objective.

Dovetailed with this theme is the dissidence the rabbi must face within the household of the son he had not seen for 28 years, all of which revolves around the priggish daughter-in-law's objection to the patriarch and the changes he's wrought in her home. It is here that the play's writing falters. It would not have been amiss for the daughter-in-law, one of the basic characters, to have been among the others in the family to effect a truce with the patriarch. As is, there's just an incidental dialogism referring to her 'departure for California,' ostensibly for just a visit.

In addition to Schwartz, among the large cast there are several others who perform notably well, namely Lucy German, as the wife; Luba Kadison, Muni Serebrov, Isidore Casher, Mark Schweid, Anna Appel, Misha German and Samuel Goldenburg. The latter and Mrs. German in particular give finely etched performances of the support players.

Naka.

College Play

DUST TO EARTH

(YALE DRAMA DEPARTMENT)

New Haven, Jan. 29.

Yale drama department's mid-winter major production turns out to be a serious piece of writing that holds a fair amount of interest throughout its three acts and nine scenes. Play, authored by Shirley Graham, is an outcome of her work in connection with the Negro unit of the Federal Theatre Project, wherein she served as supervisor. Story has a mixed white-colored background, locaied in coal mines of southern Illinois, and although a threatened strike is introduced into the proceedings, the labor angle is merely incidental to a character sketch of a burly Negro, whose illegitimate mixed parentage has set him on the track of what he considers revenge against his white father.

Plot is obvious for the most part, due to an early allusion to the red hair of the Negro (Brick) and the similar carrot top of the white daughter (Leslie Clayton) of the white owner of the mine where the Negro works. Brick has come north from Alabama in search of Leslie's father, who has been abroad a number of years, in order to square off accounts for the shady circumstances surrounding his birth. Brick figures the big day is about to arrive when he hears that Clayton is coming to visit the mine, but the edge is taken off things when Clayton shows up with his attractive daughter in tow. Girl is scheduled to take over the mine when she becomes of age shortly and she is interested in providing better conditions for the miners. This attitude eventually weans Brick from his plans for revenge and when a mining district prostie threatens to spill the news that Brick and Leslie are really half-brother and sister, Brick strangles her.

In a mine inspection, Leslie is later trapped underground in a gas-filled chamber and Brick goes single-handed to her rescue. He sends her up the airshaft lift, but there isn't room for him in the lift, so he is left behind. When he hears his father (Clayton) attempting to come below to help him, Brick strikes a match and blows himself to bits, thereby removing the stain of his own existence from the Clayton family.

Production boasts some fine settings by Patricia Montgomery. One in particular is a standout, showing the entrance to the mine, with a lift traveling up and down through the stage. Lighting by William A. Davis and costumes by George E. Nichols rate mention. Staging by Constance Welch keeps action rolling effectively and maintains a quick pace, particularly in final scenes. Principal roles, handled capably, are Brick, Lawrence Dobkin; Leslie, Mary Jane Chiles; Clayton, Stephen Bradley; McKnight (mine official), Charles Suggs; Maybelle (the prostie), Kathleen Johnson; Cokie (Brick's buddy), Paul Gilmore. Numerous minor parts, in a cast of 41, are competently played.

Presentation offers an extensive outlet for drama department talents, involving everything from set construction to Negro group singing.

Bone.

Opera

ALCESTE

Opera in three acts (five scenes); music by Christoph Willibald Von Gluck; libretto (in French) by Francois Louis Du Roullet, based on the Italian by Ranieri de' Colzabigi, which in turn was bosed on the Greek trogedy of 'Alcestis' by Euripides; conductor, Ettora Panizza; pantomime and dances staged by Boris Romanoff; production staged by Herbert Graff; chorus master, Fausto Cleva; scenery and costumes designed by Richard Rychtorik.

Admetus....................Rene Maison
Alcestis....................Marjorie Lawrence
High Priest....................Leonard Warren
Voice of Apollo and Herald....................
....................George Cehanovsky
Evander....................Alessio De Paolis
A Woman....................Marito Farell
Leaders of People....... { Maxine Stellman / Helen Olheim / Wilfred Engelman }

Solo dances by Ruthanna Boris, Monna Montes, Grant Mouradoff, Joseph Levinoff, Mary Smith, and Alexis Kosloff.

The first presentation in North America of the 165-year-old opera, 'Alceste,' by Christoph Gluck, took place at the Metropolitan Opera House, N. Y., Jan. 24. The opera

(Continued on page 63)

Literati

PM's Name Byliners

Penchant of PM, New York tab daily, for adding name authors to its payroll has seen the signing by the paper of Ernest Hemingway during the past week. Author, on his way to China for material with which to write a novel, will do some articles for PM while there. He's accompanied by his bride, Martha Gellhorn, Collier's staff writer, who's on assignment in the Far East.

James Thurber and Ben Hecht have been comparatively recent additions to the staff, Thurber doing a once-weekly column and Hecht a daily stint. As with Hecht and Thurber, Hemingway will have carte blanche on the type of stuff he'll do.

There's been considerable talk among the literati about PM's ability to staff these people, but actually they're working at minimums, with the friendship of Ralph Ingersoll, PM's publisher and editor, for Thurber, Hecht and Hemingway said to be the main factor that they would accept such jobs for what, to them, is tantamount to 'tobacco money.'

Under the agreement with Ingersoll, Hemingway has given all reprint rights to PM excepting those for books, which he's reserved for himself.

New Film Fan Mag

New film fan mag is to be introduced by Dell Publishing Co., New York, on Feb. 14. Tagged Hollywood Who's Who, it contains thumbnail pictures and biogs of about 500 players. It also carries stories on each phase of production by Hollywood names, including Sam Goldwyn, Frank Capra, Walt Disney and Will Hays.

Mag will be published semi-annually. It sells for 15c. It has an index in the back and includes players in 19 categories. Each category is foreworded with a by-lined piece by a spokesman for the field. For instance, Bill Boyd writes on western stars; Lewis Stone on parents, Jimmy Lunceford on colored actors and Gene Tierney on new faces.

According to Dell prez George T. Delacorte, Jr., Who's Who marks 'the beginning of a vigorous effort to pull fan books out of the personality worship rut.'

'Democracy' Book Sues P. O.

Viking Press, Inc., filed suit Monday (3) against Albert Goldman, New York City postmaster, seeking a temporary injunction against Goldman's edict preventing the distribution of the book 'Speak Up for Democracy' through the mails from being carried out. Book was published in November, 1940, and was written by Edward L. Bernays, the publicist.

On Nov. 16, 1940, plaintiff tried to send 80 copies through the mail and was stopped because it was claimed pages 100-103 contained advertising. Plaintiff claims those pages contain no advertising, and consist of an appendix telling persons where they may obtain reference and other material to aid in morale work.

Although the suit is in N. Y. this issue has been brought up repeatedly in Washington at the main P. O.

Mag Bankrupt

Henry Dwight Cushing, doing business as Behind the Headlines Magazine Co., of 67 West 44th street, N. Y., filed a voluntary petition of bankruptcy in N. Y. federal court Monday (3), listing assets of $200 and liabilities of $23,145. The bankrupt has been in business since July, 1940.

Among creditors are Doubleday, Doran, $2,100; Tech Publications, Inc., $1,624; C. H. Young Publishing Co., $2,216. Employees are owed $1,273 and secured debts total $2,205.

Martha Cheavins Injures Back

Martha Cheavins, author of 'Penny Serenade,' novel which Columbia recently completed filming, seriously injured herself on a train returning from the Coast, where she had worked on the screenplay. She was operated on in New York last week (27).

Miss Cheavins, wife of Hugh J. Schuck, of the New York News, injured her spine when she fell out of a hammock a year-and-a-half ago and underwent an extremely delicate operation to restore her back. Arranging a berth on the train she hurt her spine again and had to have the original operation repeated.

LITERATI OBITS

John M. Annenberg, circulation manager of the Philadelphia Inquirer, died of a heart attack at his desk Monday (3). He had been convalescing at his home, Germantown, Pa., from a similar attack in December. Annenberg, who was no relation to M. L. Annenberg, publisher of the Inquirer, would have been 52 this month. Native of New York, he was circulation manager of the Toledo (O.) Times, and worked on papers in the west and middlewest before coming to the old Philadelphia Press. In 1920 he was made circulation manager of the Evening Ledger and at one time was in charge of circulation for the Curtis-Martin chain. In 1936 he came to the Inquirer.

Robert H. Rohde, 51, reporter and short story writer, died of a heart attack Jan. 30 at his home in Deer Park, L. I. A fiction writer for the past several years, he only last week resumed newspaper work as a N. Y. Journal-American staffman.

Willis Steell, 82, author, playwright and veteran newspaperman who retired nine years ago as Sunday editor of The Paris Herald, European edition of the N. Y. Herald-Tribune, died in New York Jan. 31 from complications arising from a broken hip which he suffered in a fall at his home several weeks ago.

Edward J. Gallagher, for 43 years editor of the Lowell (Mass.) Sun, died at his home of influenza Jan. 29 after a week's illness. He was in his eighties.

J. Charles Turner, 70, veteran newspaperman who had been editor of the Belmar (N.J.) Coast Advertiser for the past three years, died Jan. 29 at his home in St. George, S. I.

Louis Bauhan, 86, artist, illustrator and former art editor of the Cosmopolitan magazine, died of a heart attack Jan. 25 at his home in Jersey City.

Frank B. Stoneman, 83, for 30 years editor-in-chief of the Miami Herald, died Feb. 1 in a Miami hospital, where he had been a three-day patient.

Harry Goodspeed Ward, 65, Washington correspondent of International News Service and former automobile editor for several Washington papers, died of pneumonia Feb. 1 in that city.

F. Purcell Angle, 56, publisher of the Danville (Pa.) Morning News since 1924, died in that city Feb. 2 after a brief illness.

Madelon Shiff, 48, for the past two years secretary to columnist Dorothy Thompson and who had previously served other important literary figures in a similar capacity, died Jan. 31 in a New York hospital.

Gerald E. (Pat) Rosa, 39, former sports editor of the N. Y. Post and one-time assistant sports editor of the N. Y. World-Telegram, died of coronary thrombosis Feb. 2 at his home in Butler, N. J. Leaving the Post in October, he had since done publicity work.

CHATTER

Ernest Hemingway in Hollywood as guest of Gary Cooper.

Readers Digest, Spanish edition, at 10c (as against 25c in U. S.), is a quick big seller in Cuba.

U. S. A. Comic Magazine Corp. chartered to conduct a printing-publishing business in New York.

Schreyer, Adelman and Morrison opened a literary agency in Hollywood to handle stories for radio and screen.

Karen DeWolf's novel of Hollywood, 'Take the Laughter,' due for February publication by Bobbs-Merrill.

William Brent, former Hollywood sound man, sold two stories, 'Okay for Sound' and 'Blues in Swingtime,' to Collier's.

Robert Faherty, of the Chicago Daily News, having his new novel on the south, 'Big Old Sun,' published by Putnam's on March 7.

Anthony Buttitta, of the Constance Hope publicity office, has completed his second novel, 'Dixie Doodle,' dealing with problems of youth in current times.

One of the coming-alongest dailies is the Miami Beach Daily Tropics, tab, which has been getting mounting attention from newsmen visiting the Florida resort with successive winters.

Arlene Wolf, formerly of the Charles Washburn publicity office and Stage mag, has joined the staff of Smart, a new femme mag. She is the wife of Frank Goodman, associate p.a. with Washburn.

Broadway

Robert Young checked into the city last week.

S. R. Kent returned from Hollywood, Friday (31).

Marc Connelly to the Coast on a scripting assignment.

Lou Mentlick, film trade newsman, drafted on Monday (3).

Bill Rodgers, M-G sales manager, back from Coast huddles.

Gene Buck will be honored at Lincoln's birthday gambol of the Lambs.

Fleming Ward has replaced Cliff Dunstan in 'Pal Joey' (Barrymore).

Burt Champion of UA back to his desk after two weeks of hospitalization.

Al Morgan, manager of the 44th Street, hurt his arm and has it in sling.

Tom Connors off on a two-week tour of southern exchanges for Metro.

Hal Danson, Par advertising representative, hobbling around after a week of flu.

Jerry Keyser, Warner Bros. foreign publicity chief, bedded by flu, turned to work.

Eddie Dowden of Metro in Buffalo on local engagements of his company's pictures.

Mrs. Clifford C. (Alyce) Fischer recuperating in Lakewood following minor operation.

Twelfth annual banquet and ball of the Warner Club set for March 8 at the Waldorf-Astoria.

Sidney Phillips has moved his office at Metro to the 11th floor of Loew's State Building.

Joe Unger, Par's eastern division sales manager, threatening a Miami visit in a couple weeks.

Ginger Rogers took the Century to the Coast last Saturday (1) after fast 10-day visit to N. Y.

Ben Serkowich, Capitol's publicity chief in Miami, recuperating after a two-week tussle with the flu.

Humphrey Doulens south for two weeks as personal manager for Lily Pons, who's on a concert trek.

Barbara Semple resigned as St. Regis hotel publicist to marry, succeeded by Lucy Jane Hunter.

Bob Flaherty, indie film producer, partied friends in the business last week on arrival in New York.

M. A. Spring, assistant to Arthur Loew at Metro, leaves tomorrow (Thurs.) for Tucson for a vacation.

Dick Mealand, Paramount's eastern story editor, to Canada next week for a quickie vacation on skis.

Wilma Freeman, in charge of publicity-sales promotion for Warner Bros., at home with a broken foot.

An extra boxoffice window has been opened at the Fulton for the advance sale of 'Arsenic and Old Lace.'

Virginia Smith understudy for Glenda Farrell of 'Separate Rooms,' using the professional name of Peg Dennery.

Phil Reisman, RKO's foreign sales chief, vacationing in Florida the past week, due back in N. Y. next Saturday.

W. G. Van Schmus, who lost a lot of weight during his illness, has gained it all back and now is in perfect trim.

Clark Brown, in charge of Par's tax department, back to the mines Monday (3) after being laid up for nearly a week.

Harry Saks Hechheimer, 'the jazzing jurist,' now 69, and currently in Havana, plans to make a 23-year old his eighth wife.

Julian T. Abeles, theatrical attorney, has purchased a Connecticut estate in the Round Hills section of North Greenwich.

Al Levin, UA producer, lectures on problems and techniques of modern films at Yale drama school today (Wednesday).

Moneyed Latin Americans booming the local niteries where formerly they traveled to Europe. Cafes enjoyed bull market.

Senator Henry J. Walters, of RKO counsel, to Honolulu for a couple of months' vacation after a business stopoff in San Francisco.

Now that Bond Clothes has moved into the Criterion site, they'll have to learn calling the Bond Bldg. by its official Bethlehem Bldg. title.

John Wray, dancing instructor, debuts as a solo artist at the Waldorf-Astoria's, Empire Room, Feb. 15, along with Adelaide Moffett.

John Dored, Paramount News cameraman, arrived in town Sunday (2), coming from Turkey by way of India, Singapore and the Pacific.

Al Jolson presented his auto to Martha Raye, who was featured in 'Hold On To Your Hats,' which closed at the Shubert, Saturday (1).

Arthur Unger (VARIETY) will stop over in N.Y. en route back to Hollywood from the Miami preem of 'Back Street.' Be in town a week or so.

Mozelle Britton, who was in 'Separate Rooms' (Plymouth), is under doctor's care at Liberty, N. Y. She is married to Alan Dinehart, starring in 'Rooms.'

Jinx Falkenberg, who closed Saturday (1) in 'Hold on to Your Hats,' at the Shubert, N. Y., planed Monday (3) to the Coast, where she'll be tested by 20th-Fox.

Martin Broones and wife (Charlotte Greenwood) in and out of town, back to the Coast via a Washington stopoff for the President's Birthday Ball festivities.

Florence and Edgar Leslie, the songwriter, celebrate their 25th anniversary and her birthday on the same day this week. ASCAP matters are stalling their holiday departure.

John J. Canning, former Klaw & Erlanger boxoffice man and later deputy state motion picture commissioner, back on his feet after lengthy illness. He's now in insurance biz in Brooklyn.

Carleton Ketchum, London newspaperman and personal friend of Lord Beaverbrook, in town to discuss matters of a diplomatic nature as well as reprinting of a book he wrote sometime ago.

Lana Turner, accompanied by her mother, and Tony Martin, Metro players, who attended the President's birthday ball last week in Washington, off to Hollywood Monday (3) night after spending three days doing Broadway shows and cafes.

Buenos Aires

Harold Horan, of Time, to Chile for a short stay.

John Gunther, gathering material for a book, off to Paraguay.

Adolfo H. Fuentes, vet actor, given big public celebration on 56th birthday.

Stuart Dunlap, Metro head here, down to Mar del Plata, seaside resort, for a short stay.

Bob Wilder, who does 'On the Sun Deck' for New York Sun, here on a round-continent tour.

Vilma Vidal joined cast of 'La Casa de los Cuervos,' being done at Studios San Isidro by Carlos Borcosque.

Spanish tenor Juan Garcia opened at the Avenida in 'La Melga,' by Jesus Guirdi, F. Romero and G. Fernandez Shaw.

Actor Florencio Parravicini, ill some time at house in suburban San Isidro, off to the mountains in Ascochinga, Cordoba.

Company of Leon Zarate extended stay at Teatro Variedades because of smash biz with 'Payucano Zono,' by Carlos R. de Paoli and Victor Elia.

Company directed by Hugo Christensen off to location for shots on 'Lumiton's 'Aguila Blanca' ('White Eagle'). Film stars Francisco Petrone.

Casa de Descanso (House of Rest), for all branches of entertainment industry, opened in Thea, Province of Cordoba, about five hours by train from B. A.

Character actress Camila Quiroga signed by EFA for new pic to be directed by Zavalia, written by Alejandro Casona and also featuring Delia Garces and Pedro Lopez Lagar.

Pepe Arias' 'Napoleon,' directed by Luis Cesar Amadori, being given big advance buildup. Will open simultaneously here and in seaside resort Mar del Plata, first time such a stunt tried here.

Deal completed to have Yehudi Menuhin play the Colón on his tour here in April. Being handled by local impresario Bernardo Iriberri, who had been angling for the house some time.

Enrique Serrano, writer, unable to complete work on 'Lumiton's 'Un Bebe de Paris' ('A Baby From Paris') because of illness. Work on film, being directed by Manuel Romero, temporarily tied up.

Zully Moreno, Jose Ruzzo and Casimiro Ross signed by EFA to write specialties for 'En La Luz de Una Estrella' ('In the Light of a Star'), to feature singing star Hugo del Carril. Enrique Santos Discepolo will direct.

Herb Clark, No. 2 man in the N. Y. Herald Tribune bureau here, married to Catherine Ann Ehrke, with Harold R. Milks of AP as best man and Walter B. Kerr, jr., bureau head, also in attendance. Clark also does weekly CBS short-waver.

Chicago

Eddie Saunders, Metro division head, in for local o.o.

Eddy Duchin mulling a special concert at Orchestra Hall.

Judy Elliott and Janet Ames readying a sister dance act.

Harry Greben back in his agency desk after a sojourn in Florida.

Harry Garfield's infant daughter on way to recovery after pneumonia.

Al Borde to Iowa to lamp the break-in of his new unit, 'Screwballs of 1941.'

Guy Robertson and Audrey Christie, coming in with 'My Sister Eileen,' setting several radio shots.

Leonard Joy due in this week to set several recording dates for Dick Todd and the Enric Madriguera orch.

Jack Irving, American Guild of Variety Artists chief here, guested at special wedding anniversary spread at the Sherman hotel.

Joe Glaser in town for the Lionel Hampton opening and for confabs with Jack Denny after a trip through seven southern and midwest keys.

Frank Kelton, Mills music professional chief, in on song business and to visit wife, Sally Sweet, currently warbling in the Camellia House, Drake hotel.

London

Local film companies dickering for Vera Lynn for filmusical.

Harry Nesbitt (Nesbitt Bros.) in Llandudno, where he is under doctor's care.

Associated Talking Pictures' next Will Hay vehicle will be 'Inside Information,' with Walter Forde likely to direct.

Sadler's Wells Ballet, which had evacuated to the midlands, returning to town to give a month's season at the New theatre.

A new symphony orchestra under Sidney Beer formed to give Saturday afternoon concerts at Savoy theatre for six weeks.

Bookings for Francis Laidler's pantomime, 'Aladdin,' at the Coliseum run to Armach. Show plays twice daily, closing around 7 p.m.

BBC doing a 50-minute broadcast of Manning Sherwin's compositions, played by Geraldo and his band. Called 'Spotlight on a Tunesmith.'

Joe Friedman, Columbia Pictures head in London, writing to Maxie Thorpe, his head of sales, that he intends returning to London shortly.

Oswald Stoll is trying to make deal with local film distributors to establish his Kingsway picture house as second pre-release spot in the West End.

Jack Doyle filed petition in bankruptcy. Understood it was due to pressure from the Commission of Income Tax, to which he is said to owe $6,800.

Ray Koski, 53, wife of Jack Koski, director of Medway Picture theatres, died suddenly from meningitis. Deceased was mother-in-law of Monty Berman.

Joe Loss band, booked at Green's Playhouse ballroom, Glasgow, for five weeks, held over another two weeks. Band averaging steady $8,000 per week.

Savoy and Berkeley hotels have reduced their band aggregations; Carroll Gibbons, at former, from 15 to seven, and Al Collins, at latter, from 12 to five.

E. H. Bostock, the circus man who died recently, left $250,000. One of the heirs is his nephew, Gordon Bostock, some years ago a vaudeville agent in New York.

Ronald Squire and Elizabeth Allan to co-star in new Edward Percy and Reginald Denham play, 'The Little Dog Laughed,' which starts provincial tour this month.

Maurice Elvey has lined up bankroll for his musical picture, 'Blitz Hotel,' with Manning Sherwin having written the music. Producer is trying to prevail upon Sherwin to appear in picture.

Warner Bros. holding up production of its next picture, which was to have been 'Trilby,' due to John Gielgud, wanted to play the Svengali role, not available. Company dickering with Anton Walbrook to take Gielgud's place.

Australia

By Eric Gorrick

Noel Coward made p.a. through New Zealand.

Dave Martin set 'Susan and God' for Minerva, Sydney.

Jack Davey, the radioer, Winchelling for a Sydney daily.

Film trade continues smartly throughout New Zealand.

Williamson-Tait may bring the Joos Ballet unit from U. S.

Gilbert-Sullivan troupe playing New Zealand for Williamson-Tait.

Anita and Armand, U. S. dancers, playing for Greater Union Theatres.

Will Mahoney doing a repeat season in Perth for the new Waterman loop.

Talent quests continue to grow in popularity here both in radio and pic houses.

Washup of Hoyts-Greater Union merger very pleasing to pic industry in general.

Extracts from Milton Berle's VARIETY column are being widely quoted locally.

'Boom Town' (M-G) will probably be held here for Lenten release over the Metro loop.

Charles Munro, m.d. of Hoyts, is lookseeing more nabe sites to further extend pic loop.

Wallace Parnell, managing director of the Tivoli, loop forced cancel U. S. trip due to illness.

Pantos are doing very good trade in Sydney and Melbourne for Tivoli and Williamson-Tait.

Rampartis on 'Watch' (RKO) skidding badly in Sydney and was yanked after two very slow weeks.

Williamson-Tait will spot Marie Ney in 'Private Lives' in Sydney for a run bid. Legiter did top biz in Melbourne recently.

Carl Brisson bows into Sydney this month with revue bid for Williamson-Tait. Melbourne and New Zealand runs follow.

Wirth's circus finding going easier in the sticks now that the long drought has broken. Unit will go to Sydney for the Lenten season.

Carroll Binder, foreign editor of Chicago Daily News, and W. Waymack, Des Moines Register, are lookseeing into Australia's war effort.

Sir Ben Fuller going ahead with plans to turn his Princess, Melbourne, into a pic house this year. This will give him two acers in the city.

Night clubs are looking for talent to boost biz throughout the summer season. Scarcity of overseas' acts means plenty of work for the locals.

Local Red Cross officials anticipate collecting around $36,000 from radio fans following the airing here of a special program direct from Hollywood via commercial hookup.

Another bid will be made by certain pic loops to the government for permission to open theatres on Good Friday. Strong opposition to move will come from the Theatrical Employees' Assn., with the claim that employees are entitled to the shutdown.

'40,000 Horsemen' (U) is smashing all records for a locally-produced film. Universal in association with Hoyts and Charles Chauvel, recently paid the government of New South Wales $36,000 for its financial share, and pic will now operate minus any governmental say-so.

Miami

Abe Lyman took a house for the season. His personal rep, Harry Weinstein, ditto.

Carl Erbe, tycoon of local publicists, has a sub-p.a. spotted in almost every major joint.

Topflight newspaper bunch in town, what with the Universal press junket for 'Back Street,' and the season just getting into full stride.

Irving Lazar, MCA nitery booker, came in for the junket, following holiday-biz stay here. Jack Lear and Harry Moss, also MCA from N. Y., here; strictly vacash.

Walter Winchell's barber played him a platinum-hued trick while he fell asleep in the chair. That barber is a character who clips mustaches, etc., while customers doze off.

Milton Berle again headlined the YMHA annual show which Nick Kenny, radio columnist, emcees here, despite mild feud with Kenny last year. It's latter's seventh stint for the Y.

Mary Brian, guest starring for Gant Gaither's legit, in 'The First Year,' may duck her 'No Time for Comedy' co-star (with Francis Lederer, already here), and try Havana to break up a persistent cold. Mrs. Bror Dahlberg is Gaither's angel.

Jack Robbins, music pub and 'conga king'—he's a nut on Latin music—and himself a crack conga-rhumba hoofer—to Havana to survey the Cuban situation for a month. May try Mexico City thereafter. Has been here a month.

Louie (N. Y. Journal-American) Sobel joined Mrs. here this weekend; the Nick Kennys back to New York. Hy Gardner, syndicated columnist, also recently arrived, and Dick Fishell, WHN sportscaster, just back to New York. Winchell, of course, stays all winter.

Much newspaper glee over reports of big biz in northern key cities, but none the less Walgreen's chain full-page advertising sundry cold nostrums, and department stores tailerize, 'We have heaters and blankets; don't suffer as you did in last night's chill.' Weather better however.

Mexico City

By Douglas L. Grahame

Ethel Mackleen, the comedienne, ill here.

Vicente Miranda, owner of El Patio nitery, around again after grippe bout.

Winifred Christie, the concert pianist, has established residence in Mexico.

Matilde Palou, light comedy star heading a stage road company after pic work here.

Prudencia Grifell on a road tour with her dramatic company after a highly successful season here.

Manuel Medel, the comic, recruiting a company which he expects to book into Latin theatres in the U.S.

Domingo Soler, the dramatic actor, vacationing at Mazatlan, a Pacific port resort, after a successful road tour.

Julian Carrillo, inventor of 'Cord 13,' a musical innovation, featured at the music festival in San Luis Potosi.

Miguel Montemayor, the youngster who made a sensation as a film comic, to Los Angeles, contracted by Frank Fouce for his theatres.

Dolores del Rio's nix of the lead in a revival of 'Santa' ('Saintess'), which was Mexico's first talker, attributed to her signing with RKO.

Adriana Lamar, the pic actress, is soon to make her stage debut at the Teatro Arbeu here in a drama, 'Marie Antoinette,' story of the ill-starred French queen.

Carrillitos, tramp comic, ends his season at the Follie Bergere Feb. 17, rests until March 7, when he begins playing the lead in a bull fight burlesque pic he will produce.

Arcady Boytler, Russian pic actor-director, has sold to a syndicate of Spanish political refugees his shorts grind cinema, Cinelandia, here, the first of the kind to open in Mexico.

Hollywood

Charlie Einfeld at home with flu.

Barbara O'Neil back to work after flu.

Darryl Zanuck vacationing in Sun Valley.

Russell Stapleton checked in at Al Wager agency.

Milton Watt joined David O. Selznick's publicity staff.

Martha Scott returned to work after a week's illness.

Jack Carson and bride planed east on a belated honeymoon.

Leon Schlesinger back after two weeks' Broadway looksee.

Frederick Stephani back at Metro after two months illness.

Peter O'Crotty on crutches after wrestling with a tame bear.

Edgar Selwyn back at his Metro desk following a week's illness.

Jackie Cooper returned from a month's vacation at Palm Springs.

Rosemary Lane returned to film work after eight weeks of touring.

Jack Cohn and Abe Schnelder in town for studio huddles at Columbia.

Fibber McGee was elected president of the Encino Chamber of Commerce.

Bob Kessner, of Fox-West coarst forces, left for Fort Benning, Ga., to join the Army.

Eleanor Powell rehearsing dance routines with a trained poodle for her next picture.

George Glass appointed western director of publicity and advertising for United Artists.

Cecile Kramer upped to chief of Harry Sherman's western story department at Paramount.

Murray Stravers, southern California manager for ASCAP, in hospital after a motor crash.

Dorothy Lamour caught a cold and stayed home while 'Caught in the Draft' was shot around her.

Bing Crosby and two of his kids join the rest of the family this week for a vacation in Sun Valley.

Norman Kerry back in Hollywood after a term contract with the French Foreign Legion in Africa.

Jeanette MacDonald goes to Pittsburgh Feb. 23 to put on a concert, recently canceled because of illness.

Commander Arthur Jarrett, of Royal Navy and Gaumont British Theatres, huddling with Darryl Zanuck.

Francis T. Harley, manager of British production for 20th-Fox, on his way back to England after studio huddles.

Crippled children profited more than $5,000 as a result of Bing Crosby's golf tournament at Rancho Santa Fe.

James Dietrich, orchestra leader, filed a $9,500 damage suit against Clifton E. Barber, musician, as a result of an auto accident.

Minneapolis

By Les Rees

Fay Dressel, RKO branch manager, beat flu.

Swedish films into Lyceum, legit roadshow house, on weekends.

M-G exchange to enter team in A.B.C. bowling tournament here.

J. W. McFarland and Joe Powers, National theatre heads, flu sufferers.

Daughter of Hy Chapman, Columbia branch manager, to wed March 22.

Allen Usher, new Paramount district manager, a visitor from Chicago.

M-G staff tossed party for Verne Smith, transferred to Kansas City as head booker.

Livingston Lanning, Minnesota theatre manager, confined to hotel rooms by illness.

L. E. Goldhammer, RKO district manager, visiting Omaha and Des Moines exchanges.

Bob Hazleton resigned from Harry Dickerman circuit to join M-G accounting department.

Arch Zacherl, veteran Universal salesman, in Asbury hospital recuperating after heart attack.

Ben J. Weisfeldt, Minnesota theatre managing director, up from Milwaukee for 'Screwballs of 1941' opening.

Local Universal office climbed to seventh place nationally in Bill Scully anniversary sales drive standings.

After 19 years with company, Alta Johnson resigning from RKO office staff to devote herself to domestic duties.

Gus Arnheim's orchestra played at local President's Birthday Ball, which drew 7,000 people to Auditorium.

Jack Engler to start excavations March 1 for new 1,000-seat $100,000 theatre at Hopkins, local suburb, where he operates the Royal.

Merle Potter, Time-Tribune film editor, flew to Miami to cover 'Back Street' premiere and thence will go to Hollywood for annual news-gathering jaunt.

Sally Rand unit disbanded after Minneota theatre engagement here. Miss Rand proceeding to fill State Lake, Chicago, and Miami, Fla., night club engagements alone.

Ben Blue, Kitty Carlisle and Rufe Davis headlining ensuing week's Orpheum bill. 'International Revue' and Earl Carroll's 'Vanities' also underlined for this month at Singer house.

OBITUARIES

MARIE NARELLE

Marie Narelle, 67, concert singer and actress who last appeared in the London musical success, 'Under Your Hat,' which starred Jack Hulbert and Cicely Courtneidge in 1937, died Jan. 25 at Chipping Norton, near Oxford, England.

An Australian by birth, Mme. Narelle made her debut in 1904 at the St. Louis World's Fair. Gifted with a fine soprano voice, she specialized in Irish songs and once toured with John McCormack.

Twice-wed, Mme. Narelle used the name of her first husband for professional purposes. He died many years ago when she scarcely had started her career. Upon marrying Harry A. Currie, she left the professional concert stage although she occasionally sang for charity. After his death in 1934, she went abroad and returned to the theatre for the Hulbert-Courtneidge musical.

Survivors are a son, Reginald Narelle, and also two daughters by her first marriage.

CHARLES H. JONES

Charles H. Jones, 66, retired vaude and circus performer who, with his wife Ruth, trouped in an aerial act known as The Leoras and later were featured as the Ruth Howell Duo, died of a heart attack Jan. 8 at his home near Garrison, Minn. For some time he had been in failing health.

A native of Emporia, Kas., Jones started his career as a highwire worker and balloon ascender at fairs and amusement parks. After his marriage to Ruth Willman in 1909 the pair teamed as The Leoras and later established the Howell Duo while touring the Pantages and Orpheum circuits.

Since 1930 Jones had lived in Anoka, Minn., where he was engaged with his son, Don, in the oil business. Also leaves widow and two half-sisters. Burial at Brainerd, Minn.

BILLY DE MONT

Billy De Mont, 67, actor and vaude performer who last appeared in the late Joseph M. Gaites' production of 'The Man Who Killed Lincoln' at the Longacre, N. Y., a year ago, died Jan. 29 in New York.

Born in Louisville, Ky., as William De Mont Evans, he later took the name of Billy De Mont for professional purposes. For 35 years he worked in vaude, acted on the legitimate stage and also wrote plays and composed. He teamed with his wife, Lillyn as Brown and De Mont, an act known as the two Black Diamonds. More recently he had appeared on several radio dramatic sketches.

Also surviving are a son, daughter and a sister.

CLARA B. PRICE

Clara B. Price, 85, Shakespearean actress, died Feb. 1 in Santa Monica hospital, Santa Monica, Calif., from complications resulting from a broken leg which she sustained in a fall about three months ago.

Widow of an actor, Mark Price, she was a native of Boston, where she played in stock for 10 years with the Boston Theatre Company. Mrs. Price, usually seen in either Shakespearean or romantic parts, later joined Augustin Daly's company, and for five years appeared with Robert Mantell.

After cremation, the ashes will be placed beside the grave of her husband in Kensico Cemetery, N. Y. He died in 1917.

JIMMY JONES

J. West Jones, 53, known to performers and patrons of Steel Pier Music Hall, Atlantic City, where he conducted orch as Jimmy Jones, died suddenly of heart attack Jan. 28 in Philadelphia. For 16 years, Jones directed the pier orchestra each summer, and during winter season engaged in similar capacity at Fay's theatre, Philadelphia.

Jones played on old Keith circuit and was also a composer. At one time he was associated with J. Bart McHugh in musical show productions. He was the featured pianist at Variety Club dinner at Bellevue-Stratford hotel the night before his death.

Widow and son survive.

JOHN J. FARREN

John J. Farren, 60, former owner of the Victoria theatre, Rochester, N. Y., died Jan. 26 at his home in Rochester after two years' illness. He was a native of New York, moving to Rochester 35 years ago to become manager of the Hippodrome theatre, one of earliest film houses in the upstate city. A year later he became manager and part owner of the Victoria, operated as vaudfilm house until his retirement in 1929. Three years later the theatre was razed.

Widow, Mary Dolan Farren, survives.

GRACE LYNN

Grace Lynn, 57, actress and newspaper contributor, died Jan. 29 after a short illness at the Montefiore hospital, Bronx, N.Y. A native of New York, she was a graduate of Hunter College.

Miss Lynn, who had a long and varied career on the stage, at one time acted as understudy to Henrietta Crossman. In recent years she had done free-lance literary work, writing chiefly on theatrical topics.

Surviving are two sisters and two brothers. Funeral services were held in New York Friday (31) under auspices of the Actors' Fund.

HENRY S. KOPPIN

Henry S. Koppin, 64, who built and at various times operated 26 theatres in Detroit, died suddenly in Toledo, O., when he suffered a stroke while on a business trip. Koppin was also the operator for years of the Ramona dance hall and amusement park at the entrance to Belle Isle, Mich. Leaves widow, three sons, one of whom, Henry, manages the Uptown theatre, Detroit, and two daughters.

Caldwell H. Brown, Jr.

1911—1936

VIOLET ESSEX

Violet Essex, 48, London musical comedy star during the last war, died Jan. 31 in Beverly Hills, Calif. Privately she was the wife of Charles Levinson Tucker.

Miss Essex, who early in her career sang at Covent Garden, went on to assume the role of Margana in the musical, 'Chu Chin Chow,' which ran in London for more than five years.

TRACY C. BERGERON

Tracy C. Bergeron, 70, manager and pianist of the old-time vaude Harmony Four, died Jan. 23 in Cleveland. He helped form the quartet 50 years ago and toured it through the continent and in England for years.

Team included Frank Barrett, now in music business in London; Eddie Hughes and Fred Brockman, all Clevelanders.

WALTER J. GARYN

Walter J. Garyn, 50, operating for three years as Garynteed Pictures, Inc., independent film exchange at Dallas, Texas, and a veteran film salesman, died recently of heart disease. Formerly was general salesmanager of National Screen Service. Native of St. Louis, he began with Fox Films, later held M-G executive sales job.

Widow and sister survive.

STEFAN PECHA

Stefan Pecha, 28, who had played first oboe with the Metropolitan Opera Orchestra for the past five years, died Jan. 29 at his room in a New York hotel.

Born in Czechoslovakia, Pecha came to the United States at the age of 12 and received his early musical education at the Institute of Musical Art, N. Y.

ARMAND KALIZ

Armand Kaliz, 49, long a stage actor and for the past 10 years a screen actor-writer, died Feb. 1 in Beverly Hills, Cal., of a heart ailment.

Coming to this country after the World War, Kaliz appeared in many Broadway plays and for years was an Orpheum headliner. He acted in 30 pictures and later turned to writing.

Widow survives.

LESTER E. MATT

Lester E. Matt, 61, one of the pioneer showmen of Flint (Mich.), died of a heart attack while returning home from his winter camp at Mio, Mich., Jan. 27. Only a few weeks ago he retired from business, selling his four film houses in Flint, the State, Strand, Della and Roxy, to the Butterfield chain.

He leaves widow and daughter.

RALPH RICKENBACHER

Ralph Rickenbacher, music contractor on several Coast radio shows, died Feb. 1 in Santo Monica, Cal.

Survived by widow and brother, Paul Rickenbacher, radio exec with J. Walter Thompson agency in Hollywood.

Father, 80, of Milton Silver, advertising and publicity director for National Screen Service, died of a cerebral hemorrhage Jan. 30 in Flushing, L. I. Besides his son, widow and four daughters also survive. Funeral services were held Sunday (2) in Flushing.

Abe W. Biegelman, 55, salesman for 20th-Fox in southern Iowa for 14 years, died Jan. 27 at Iowa Lutheran hospital, Des Moines, after a brief illness. Survived by a son, sister and four brothers.

Mrs. Mary Friedland, mother of Bess Schulter, member of a syndicate operating several nabe filmers in St. Louis, died last week. A son, Al Friedland, is an officer of IATSE, Local No. 143.

Mariano Spaziano, about 70, father of Joe Spaziano who leads orchestra at Fay's Theatre, Providence, died Sunday, Jan. 26, after long illness.

MARRIAGES

Vera Engels to Ivan Lebedeff, in Ensenada, Mexico, Jan. 24. Bride's an actress; he's a film player.

Lynne Roberts to William Engelbert, in Yuma, Ariz., Jan. 6. Bride is contract player at 20th-Fox.

Mary Fletcher to Victor Thorley, in New York, Feb. 4. Both are legit players.

Lillian Keil to Michael Cirillo, in Detroit, Jan. 29. Bride is beauty contest winner, with 'American Beauties On Parade' vaude unit; he's of Three Cirillos vaude act.

Thora Hoagland to Harold Eckert, Jan. 29, in Columbus, O. He's drama editor of The Ohio State-Journal, Columbus.

Jacqueline Dalya to William Conselman, Jr., in Las Vegas, Nev., Jan. 27. She's a film player; he's a screen writer.

Marjorie Lytell to James MacColl, Jan. 30, in Newport, Ky. Bride is former wife of Philip Faversham, son of William Faversham, stage star; MacColl is legit player.

Osa Johnson to Clark H. Getts, in New York, Feb. 3. Bride was widow of adventurer, Martin Johnson; he's her manager.

Gertrude Winer to Ira Kaplan, in Detroit, Jan. 29. He is manager and part owner of Cinema theatre, Detroit; bride is radio actress.

BIRTHS

Mr. and Mrs. John Herberg, son, in Seattle, Jan. 24. Mother is Gene Dennis, the psychic; father is northwest theatre owner.

Mr. and Mrs. Charles Perrine, daughter, in Hollywood, Jan. 21. Father is manager of Ruthrauff and Ryan ad agency there.

Mr. and Mrs. John Melbourne, son, Jan. 25, in Springfield, Ill. Father is a member of the talent staff of WCBS, Springfield, Ill.

Mr. and Mrs. Harold M. Green, daughter, in New York. Father was formerly in RKO Radio home-office advertising dept., now in liquor business for himself.

Mr. and Mrs. Ned Scott, daughter, in Hollywood, Jan. 26. Father is still photographer for Globe Productions.

Mr. and Mrs. Frank McLatchy, son, Jan. 16, in Salt Lake City. Father is sales executive for KSL, Salt Lake City.

Mr. and Mrs. Ralph W. Hardy, son, in Salt Lake City, Jan. 18. Father is sales executive for KSL.

Mr. and Mrs. Wayne F. Richards, daughter, in Salt Lake City, Jan. 30. Father is promotion and publicity head at KSL.

Mr. and Mrs. Jack Daniels, son, in New York, last week. Father's a legit actor.

Mr. and Mrs. Barron Howard, daughter, in Richmond, Va., last week. Father is business manager of WRVA, Richmond.

Mr. and Mrs. Edd Henry, daughter, in Hollywood, Feb. 2. Mother is film actress Joyce Bryant; father is an agent.

Plans Lynchburg House

Lynchburg, Va., Feb. 4.

Site on High street, Portsmouth, has been bought by William S. Wilder for a $200,000 theatre seating 1,200. Ground is to be broken soon. Wilder owns a string of Virginia houses.

Bills Next Week

Continued from page 56

Jay Jason
Pol Mer Gls
Pete Viera Orc

Statler Hotel
E Madriguera Orc
Patricia Gilmore
Escudero
Sarita & Tito Morales

San Diego
George Presnall
Al Alexander Orc
Den Merrymen
Don Francisco
Starr & Maxine

Verne's
Bert Nolan
Boyd Senter
Marcia Hasting
Betty Belville
Harry Collet Orc

Whittier Hotel (Gold Cup Room)
Tony Patti

Wonder Bar
Sammy Dibert Orc

PITTSBURGH

Anchorage
Hugh Morton Orc
Maynard Deene

Arlington Lodge
Phil Cavezza Orc

Bachelors' Club
Al Turner Orc
Frances McCoy

Balconades
Joe Villella Orc

Bill Green's
Clyde Knight Orc
Janet Lee
Herb Roaher

Boogie-Woogie Club
Boog Sherman
Izzy Nutz
Buddy Walsh
Nutsy Fagan
Harry Comorada
Packy M'Farland
Tiny Miller
Bernie Crawford

Club Petite
Piccolo Pete Orc
Mary Krieg
Bernie Lambert
Ted Delmonico
Betty Benz
Betty Beegle

Cork and Bottle
Jack Davis

Eddie Peyton's
Bill Campbell Orc
Caroline Moore
Mabel Harrold
Marion Muller
Eddie Peyton

El Chico
Ciro Rimac Orc
Estrelita Pena
Alziro Camargo
Chinita Marin
Charley Boy

Hotel Fort Pitt
Ken Bailey Orc
Johnny Mitchell
Jessica Wheatley
Harry Walton
Irma Guthrell

Hotel Henry (Silver Grill)
Billy Treacher Orc
Sandy Davidson
Flo Parker
Jean Woods

(Gay 90's)
Dorothy Nesbitt

Hotel 7th Avenue
Bess Saunders
Ida Iola
Everett Haydn
Betty Donahoe
Shirley Heller
Al Devin

Evergreen Gardens
Red Clarke Orc
Ebbie Schaub
Paula Hervey

Hotel Ella
Olga Mundy Orc
Dale St Clair
Zelda

Hotel Roosevelt
Ted Blake
Men About

Hotel Schenley
Billy Hinds Orc
Petty Dixon
Buzz Mayer

Hotel Wm. Penn (Chatterbox)
Baron Elliott Orc

(Continental Bar)
Frank Andrini 4

Merry-Go-Round
Brad Hunt Orc
Jeanie Regal
Billy Carmicheal
Huntemen

New Penn
Henry Blauth Orc

Nixon Cafe
Al Marisco Orc
Bob Carter —
Lester & Irma Jean
Thompson Bros
Norma Shea
Starlets

Nut House
Dale Herkness
Ray Neville
Pat McGowan
Joey Reynolds
Chuck Wilson

Oasis
Louie Pope Orc
Margie Kraber

Orchard
Jimmy Gamble Orc
Jay Loring
Chuck Miller

Pines
Bill LeRoy Orc
Tony Rozance
Ray Englert

Yacht Club
Jack Walton Orc
Lita & Lee
Yachtsmen
Betty Nylander
Harry Schilling
Bert Nagel Co
Tom Ball Gls

Sky-Vue
Mickey Ross Orc
Sky Pilots

Union Grill
Art Yagello
Frank Natale
Mike Sandretto

Villa Madrid
Etzi Covato Orc
Mark Lane
Stepin Fetchit
Abdul Sender
3 Crandyls
Dolores La Mont
Kay & Kay
Dewey Moon

MIAMI

Beachcomber
Xavier Cugat Orc
Miguelito Valdez
Carlyle Blackwell
Chavez Orc
Tropical Danc

Carrousel
Ina Ray Hutton Or
Velero Sis Orc
Sammy Walsh
Harry Stevens
Nancy Hunt
Patty Ortell
Stuart Foster

Club Bali
Tommy Nunez Orc
Peggy Fears
Olivette & Murray
Merle & Gaylor
Alfredo Seville
Ball-ettes (12)

Club Esquire
Worthy Hills Orc
Hernandez Orc
Crose & Dunn
Terry Lawlor
De Angelo & Porter
Howard Brooks
Esquirettes (8)

Club Te Pee
Myles Bell Orc
Wanda Lee
Armond & Juliana

Colonial Inn
Paul Whiteman Orc
Harry Richman
Sophie Tucker
Joe E Lewis
Chandra-Kaly Danc
Marianne
Ann Sutherland
Armando Orc

Cuban Casino
Eva Ortega
Harriette Henning
Nan Blakstone
Tropic Beauties

Don Lanning's
Doris Sherrill
Roberta Sherwood
Jimmie Hodges
Marie Lewis

El Chico
Ralph Cook
Marilyn Foster
Gloria Lucane
Lytell Danc

Five O'Clock Club
Pancho Orc
La Playa Danc

Hotel Dempsey-Vanderbilt (Pago Pago Room)
Bobby Parks Orc
Vincent Bragale Or
Terry Lawlor
Leon & Mace

Carroll & Gorman
Walter Donohue

Hotel Hollywood Beach (Bamboo Room)
Eddie Oliver Orc
Milton Douglas
Sara Ann McCabe

Hotel Miami Biltmore (Giralda Room)
M Bergere Orc
Rodney McLennan
Columbus & Carroll
Marisse

Hotel Roney-Plaza (Viennese Room)
Emery Deutsch Orc
Jaye Martin
Jeen Travers
Georgee & Jalna
Victor Rodriguez

Hotel Shelborne (Mayan Room)
Chet Brownagle Orc
K Miller Danc

Hotel Versailles (Gulf Room)
Chas Murray Orc

Jeff's
Jerry Delmar Orc
Marty Bohn
Nancy Lee
Merle Burke
Midgie Fellows
Murphy Sis

Jimmie's
Budd Sawyer's Orc
Chlo Kennedy
Ravelle & Jeanette
Billy Young
Rae Jayne
Wayne & Marlin
Dorothy Eden

Kitty Davis
Johnny Silver
Billy Vine
Conga Dano

Latin Quarter
Joe Candullo Orc
Lolita Cordoba Orc
Emil Boreo
Grisha & Brona
Henri Therrien
Lela Moore
Frank Mazzone
Yvonne Bouvier
Clarissa

Mayfair Club
Matty's Rhythm Cb
Leonardo Orc
Benny Davis

Nut Club
Tubby Rives
Lew Mercur
Musical Maniacs

Paddock Club
Leon Prima Orc
Frances Faye

Rogers & Morris
Gaye Dixon
Manhattanettes

Rhumba Casino
Alex Batkin Orc
Fantasias Rhumb's
Desi Arnaz
Marissa
Rosita Rios
Raul & Eva Reyes

Royal Palm Club
Abe Lyman Orc
Oscar Rosa Orc
Paul Haakon
Jansleys
Milton Berle
Royal Guards
Alexis Rotov
Rose Blaine

Singapore Sadie's
Dixieland Bd
Johnny Pineapple O
Bob Berry
Denise

Slapsy Maxie's
Babe Russin Orc
Maxie Rosenbloom
Joe Frisco
Cully Richards
Sammy Lewis
Patty Moore
Carolyn Marsh
M Garriston

The Drum
Val Olman Orc
John Buckmaster
Stuart & Lee
Diana Courtney

Villa Venice
Harry Rogers Orc
Moore & Revel

Wit's End
Tony Carlona Orc
Jose Tomas Orc
Lenny Kent
Renise
Rae Mersh
Rita Renaud
Sharon Lynne Dane

BOSTON

Beach Comber
Nye Mayhew Orc
Don Ostrow Orc
Eden Twins
Copacabana Gls
George Escudero
Dorn & Yoesez

Bilnstrub's
Karl Rohde Orc
Rex Grayson
4 Arleys
Bobby Joyce & G

Casa Manana
Lou Carter Orc
Lee Steele
David Ballentine
Marcia Rice

Club Mayfair
Ranny Weeks Orc
Bernie Bennett Orc
Mills, King & Ray
Cookie Faye
De Mcranvilles
Yola Galli
George Libby Rev

Cocoanut Grove
Mickey Alpert Orc
Don Rico Orc
Goodrich & Nelson
Paulens
Ethel Lynn
Allen Twins
George Rand Rev
Billy Paine
Nancy Gay

(Melody Lounge)
Rita Coughlin

Crawford House
Ray Collins Orc
Sally Keith

Hi-Hat
Pete Herman Orc

Hotel Bradford (Circus Room)
Ruth Wallis

Hotel Brunswick (Bermuda Terrace)
Ella Fitzgerald Orc
Babe Wallace

Hotel Copley Plaza (Sheraton Room)
Stuart Frazier Orc

Hotel Essex
Lou Gordon Orc
Billy Kelly

Sheperd Sis
Mary MacMaster

Hotel Somerset (Balinese Room)
Harry Marshard
Johnny Turnbull
Lenny Welsh

Hotel Statler (Terrace Room)
Vaughn Monroe Orc
Marilyn Duke
Ziggy Talent
Joe Carney
Bobby Nichols

Hotel Westminster (Blue Room)
Jimmy McHale Orc
Tropical Seren'd's O
Adrian O'Brien
Paul Regan
Harry Drake Rev
Margie Ford
Marion & H Lynn

Latin Quarter
Don Dudley Orc
Tony Bruno Orc
Harry Spear
Clymae
Kosloff Danc
Janet Carroll
Evalyn Fahrney
4 Sydneys
Radio Herb Lewis

Steuben's (Vienna Room)
Lew Conrad Orc
Prince & P Selandia
Nora & Jimmy Bell
Bobby Whaling Co
Doris Abbott

The Cave
Mark Gilbert Orc
Jack Fisher
Tamara Doriva
Doris Abbott
Carlos & Doria

Tic Toc
Ernie Bell Orc
Ben Ford Rev

Tremont Plaza
Ben Pullo Orc

Versailles
Geo MacFarlane Or
Buster & B Burnell
Joe Kirk
Chappell & Harmon
Johnny Andrews

Mgrs. Guild Pact

Continued from page 57

the Guild. Latter states that requirement will not embarrass the producers, nor work a hardship on the alien writers. They point out that when an American play is presented abroad the author is required to join the writers guild in such countries.

Present agreement stipulates that if a manager becomes bankrupt, his rights to plays shall revert to the author. In a draft of the revised agreement, that provision was made to read that the rights also revert in the event of the manager's death. Showmen immediately objected to that insertion, on the grounds that it was not equitable. Guild leaders conceded the point and the word 'dies' will be deleted. They claimed they were not aware that the death inclusion had crept into the clause.

Guild is seeking three new regulations regarding musical shows. One is that a copy of the complete score shall be turned over to the authors' association within six months of the opening date. Since the cost of orchestrations amounts to several thousand dollars or more, the managers feel that they should be compensated by the Guild. Authors regard that idea as reasonable, but no fixed amount has been decided upon.

Another provision calls for the establishment of a minimum percentage for the writers and composers of musicals. Guild sets the mark at 2% for composers, 2% for book writers and 1% for lyricists. As 6% of the gross is the usual compensation to such writers, 1% is left to be arranged for. Third new rule provides that if single numbers from a musical are disposed of, a percentage of the purchase money shall be divided among all the show's writers.

Cole Porter mentioned to do the score and lyrics for 'Not Tonight, Josephine,' for which Bert Lahr and Martha Raye are cast probabilities.

LEGAL NOTICE

NOTICE OF SALE.—Supreme Court of the State of New York, County of New York—Henry C. Burnstine, etc., plaintiff, against Playland Holding Corporation et ano., defendants:

Pursuant to order of the Supreme Court, County of New York, dated January 17, 1941, the undersigned will request leave of the Court at Special Term Part 1 of the Supreme Court, New York County, at the County Court House, at Pearl and Centre Streets, Borough of Manhattan, City of New York, on the 10th day of February, 1941, at 10 o'clock in the forenoon of that day, to sell at said time and place to the highest bidder and, if no offers are submitted on or before said date better than the offer of Rita Geist heretofore submitted to the Receiver, to sell to said Rita Geist the following described property:

All the right, title and interest of Harry Zamore, as Receiver of Playland Holding Corporation, appointed by interlocutory decree entered in the Office of the Clerk of New York County on October 23d, 1940, in the above entitled action, in and to the property of Playland Holding Corporation of every kind, nature and description and wheresoever situate including all the real estate, more particularly described as follows:

"ALL that certain plot, piece or parcel of land together with the buildings and improvements now located thereon or which may hereafter be erected thereon, situate, lying and being at Rockaway Beach, Fifth Ward, Borough and County of Queens, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the Southerly side of Rockaway Beach Boulevard, formerly known as Central Boulevard with the Easterly side of Beach 98th Street, formerly known as Ward Avenue; running thence Easterly and along said Southerly side of Rockaway Beach Boulevard, a distance of 148.79 feet more or less to a point therein distant 52.26 feet Westerly from the corner formed by the intersection of the said Southerly side of Rockaway Beach Boulevard with the Westerly side of Beach 97th Street, formerly known as Tompson Avenue, thence Southerly and on a line parallel with said Westerly side of Beach 97th Street, a distance of 118.50 feet; thence Easterly and on a line at right angles to said Westerly side of Beach 97th Street, a distance of 52 feet to the Westerly side thereof; thence Southerly and along said Westerly side of Beach 97th Street, a distance of 496.53 feet more or less to a point in the Northerly line of property acquired by the City of New York for Public Park Purposes, as acquired in this Section, under Vesting of May 11, 1938; thence Westerly and along said Northerly line of property acquired by the City of New York for Public Park Purposes, a distance of 200 feet to the Easterly side of Beach 98th Street; thence Northerly and along said Easterly side of Beach 98th Street, a distance of 580.01 feet more or less to the Southerly side of Rockaway Beach Boulevard, formerly known as Central Avenue, the point or place of beginning.

TOGETHER with all right, title and interest of the mortgagor, of, in and to the lands lying in the bed of any street or avenue upon which said property fronts, to the center lines thereof."

and all buildings and improvements erected and situate thereon or appurtenant thereto, subject to any state of facts an accurate survey would show and subject to easements, restrictive covenants and agreements of record, if any, to encroachments and projections and to any violations pending or which may subsequently be imposed against the premises up to the date of sale by any governmental or municipal authority, and all other property and assets, tangible and intangible to which the Receiver has title at the time of passing of title herein, except cash on hand or in bank belonging to the Receiver at the time of passing of title hereunder, and any recoveries which may be effected in behalf of Playland Holding Corporation in the above entitled action. The following is a diagram of the real property to be sold:

The aforementioned property is an amusement park, known as "Rockaways' Playland," located at Beach 97th and Beach 98th Streets, Rockaway Beach, New York.

The sale shall be upon the following terms:

(a) No bid shall be received unless accompanied by a deposit with the Receiver of the sum of $5,000, in cash or certified check.

(b) The successful bidder shall make an additional deposit immediately upon the closing of the bidding, in an amount sufficient to make the total deposit by said bidder at least 20% of the amount of the successful bid. All other deposits received by the Receiver shall be forthwith returned to the unsuccessful bidders who shall have made such deposits.

(c) The balance shall be paid in cash or certified check at the time of the closing of the title, to take place thirty days after the date of such sale at the offices of Seligsberg & Lewis, attorneys for Receivers, 29 Broadway, Borough of Manhattan, New York City.

Offers may be submitted to the Receiver at the offices of his attorneys prior to February 10th, 1941.

There has been deposited with the Receiver the aforementioned offer of Rita Geist and a copy of the annual report of the accountant for Playland Holding Corporation, covering the fiscal year ending September 30th, 1940 and a copy of the balance sheet of Playland Holding Corporation as of December 31st, 1940 and said offer, accountant's report and balance sheet will be available for inspection by all interested parties at the offices of the Receiver's attorneys during all reasonable hours of the day up to the time of such sale.

The real property of Playland Holding Corporation, also known as "Rockaways' Playland," located at Beach 97th and 98th Streets, Rockaway Beach, New York, will be open for inspection by all interested parties, between the hours of 9 a.m. and 12 noon, except Sundays and Holidays, for the period commencing with the date of the publication of the first advertisement of this sale and ending with the day preceding the date of the sale. Such inspection may be had by application at the offices of said Corporation, 187 Beach 97th Street, Rockaway Beach, New York, Telephone No. Belle Harbor 5-1230.

Dated: New York, January 17, 1941.

HARRY ZAMORE,
Receiver.

SELIGSBERG & LEWIS,
Attorneys for Receiver,
Office & P. O. Address, 29 Broadway,
Borough of Manhattan, City of New York.

CLAIM COUNTY FAIRS ON WAY UP

Detroit, Feb. 4.

County fairs are coming into a bright new era was the concensus of opinion here at the annual convention of the Michigan Association of Fairs by such varied seers as John Reid, owner of the Happyland Shows; William J. Cameron, of the Ford Motor Co., and Frank Duffield, of the Thearle-Duffield Fireworks Co.

Duffield, who discussed the World Fairs, pointed out that there definitely is a strata of the public addicted to attending fairs. Pointing out that the basis of all fairs lay in the county fairs, he suggested that they modernize to take advantage of a prospective audience put into an expo mood by the national fairs. He pointed out that industry—General Motors kicking in $12,000,000 for the World's Fair, etc.—had wised up to the advantages in this form of advertising, was putting shows on the road and that the small fairs could expect benefits from industry.

This latter portion cued right in with some statements added by Cameron, speaking for industry. Saying that the defense program meant the termination of such things as the New York Auto Show, he pointed out that the industry could still take advantage of the county fairs. Reid saw wider employment than ever for the shows and concessions.

ALCESTE

(Continued from page 60)

may now be put to rest for another 165 years. It's that hackneyed and uninteresting.

The opera and performance as given Friday contained some merit, but the lack of a dramatic punch or climax in these hectic times is sufficient to render 'Alceste' completely ineffectual for modern audiences.

The opera deals with a dying king, whose adoring wife, in order to save him, agrees to sacrifice herself in his stead if his life be spared. The gods agree, but when she descends to Hades, her husband follows and challenges the gods to separate so great a love. Apollo, taking pity on the mortals, lets them both return to earth.

'Alceste' itself abounds in the flowing classical melodies of the 18th century, with scattered arias and great choruses throughout. The interludes between these are so great, however, that the listener becomes bored watching the proceedings, mostly so when the classical dancing by the Met ballet, which took up a major portion, was so poorly done. The ballet is an intrinsic part of the score, but witnessing the whirling dervishes that dance fairy-like failed to produce the enthusiasm suggested by the book.

The opera was planned as a vehicle for the first American appearance of the great French dramatic soprano, Germaine Lubin, whose 'Alceste' is a tradition abroad. The singer, failing to secure a passport, necessitated the transfer of the title role to the Australian soprano, Marjorie Lawrence. Careful study and obvious hard work marked Miss Lawrence's efforts, but vocally and dramatically she failed to go over. Her most familiar aria, 'Divinités du Styx,' ending Act One, was a disappointment, for her vocal equipment was insufficient to enable her to cope with the two-octave range demanded by the score. Top tones were strident, especially on the high B flats, and the lowest notes a rumble. The soprano's acting was forced and stagey.

Rene Maison brought an authentic style to his part, but much of the music lies too high for him, and continual forcing did not aid the ears of the listeners, for the tenor's voice by quality is not pleasant at best. His style of dress would have been more appropriate to the dissolute Nero than to a supposedly young king, and an unmodishly stoutish one at that.

Leonard Warren, as the high priest, bellowed his part capably, but he, too, unnecessarily forced his sufficiently powerful voice past the requirements of his part. The balance of the cast sang adequately enough, with special emphasis to the work of Alessio De Paolis, whose Evander was a nifty to the ear and the eye.

The orchestral portion of the score was not quite realized by the musicians in the pit, despite energetic batoning by Ettore Panizza, whose conducting was one of the standouts of the production. Everything that could be secured from the dated music was gained by the Italian, whose work ranks him at the top of his class.

Much praise must be given the chorus and its master, Fausto Cleva, for its work both solo and in ensemble, while the scenery and costumes by Richard Rychtarik were well within the scope of the tragedy and pictorially as fine as anything in recent years at the Met. The same praise cannot be afforded Herbert Graff, who failed to modernize the staging and bring it within the realm of possibility.

Much of the music resembled other Gluck works, especially a part of Act III, where the 'J'ai perdu Mon Euridice' from 'Orfeo' was lifted bodily and inserted. Actually, the opera ends with the first scene of Act III, and the inclusion of the last scene dragged the performance to an interminable end.

Bad weather cut the attendance to a minimum.

LOUIS NOT SLIPPING; KNOCKS OUT BURMAN

By JACK PULASKI

Fact that Red Burman of Baltimore was able to stay until the fatal fifth round with Joe Louis at Madison Square Garden last Friday (31) created a difference of opinion among the sporting gentry as to whether the champion is slipping. Some insist that the great Brown Bomber from Detroit is not as lethal as he was, but calmer observers say it isn't so.

Louis' 13th defense of his title was generally conceded to be a foregone conclusion, and all the shouting seems more of a steam-up than is logical. It is true that Louis had a cut on his right eyelid. He says that Red's head did that. Burman waded in as directed, but that he really hurt Louis was not evident.

Only those close to the ring really saw the knockout punch—a right uppercut under the heart. Burman sagged over the lowest ring rope, inert during and after the count was completed. The champ says it was the hardest blow he has ever delivered, but forgot the evening when he stowed away Max Schmeling in their second encounter. The kayo blow that felled Burman did not travel more than six inches, which is why many present didn't see it land, especially those who happened to be seated where they could see only the Baltimorean's back.

Betting odds were 10 to 1 that Burman would be licked, and in the lobby experts said that Red had only a 20 to 1 chance. Little coin was wagered on the outcome. Most bets were that Louis would take care of his opponent by the fifth round. Champ apparently sensed that the chips were down on that result, for he went to work more savagely than in the earlier sessions. Red was counted out with 11 seconds more to go before the bell.

Armstrong Honored

Attendance was quite good, but not capacity, as when Fritzie Zivic stopped Henry Armstrong two weeks previously. The top was $11.50 for both title events, the promoter, Mike Jacobs, being finally convinced that higher prices were not feasible. Gross was nearly $63,000. Armstrong was called to the ring during the evening and presented with a medal, emblematic of the little colored lad's former prowess of holding the feather-, lightweight and welterweight titles at the same time. He has no plans for further ring appearances.

Indicative of how fight fans have a difference of opinion came in the third round, when Louis' body was bent over the second rope, his hands touching the apron outside the ring. Some who know fighters and fights thank that the champ got that way from a punch. Actually he was shoved off balance and slipped in Burman's sloppy corner. Bomber has other matches which are carded as championship contests, but are rated pushovers.

The question of Louis' present fistic power is believed to be advance ballyhoo for his match with Billy Conn next summer. There are some who figure that the light-heavyweight from Pittsburgh will outpoint Louis, but others are of the opinion that no fighter in sight can stand off so hard a hitter, unless he has an off night. Louis hit Burman around the head, but, unable to drop Red, decided that the guy had a concrete conk. He changed his attack to the body, and that was the end of the contender, who thinks he did all right for himself. Jack Dempsey has been grooming Burman for some time, but he was not in the man's corner, sitting near by and giving advice to Red's handlers.

Billy Soose and Ernie Vigh head Friday's (7) card, one that looks okay on paper.

WHAT THEY THINK

Radio's Failure to Train

New York.

Editor, VARIETY:

The recent controversy between actors who want to crash radio and the radio that keeps saying it wants new voices, but won't have them when it can get them, has interested me for some time now, since Jan. 8 to be exact, when Hobe Morrison had a little piece on 'Radio Monopoly' in VARIETY.

There are two ways, he pointed out, of getting into radio, be a stage or film success, or, be related to a sponsor.

Then, on Jan. 15, Joseph Julian, actor, spoke his mind on acting for radio, which we gathered serves only to fill up the time between soap commercials. And again on Jan. 22, the agency directors and others countered in VARIETY with lack of experienced talent, etc., etc.

All apparently missed an important point I'd like to make.

Radio, a step-child so far as theatre is concerned, but the pampered offspring of commercial advertising, has never had a proving ground for talent. Radio borrows from the legitimate stage, films, the night clubs, the concert stage, vaudeville. In fact, it took over what remained of vaudeville, bag and baggage.

Radio does not take the time to develop its own talent. Time flies and it is valuable. Some manufacturer or somebody must pay for it. And if somebody pays for the talent that uses up that time, the talent must have already proved itself capable of drawing and holding the attention of vast numbers of people.

So, a lot of young people who possibly show every promise of being radio assets, but haven't proved it because they haven't the chance and probably won't get it in nine cases out of 10, tell their stories to secretaries in advertising agencies or just sit admiring the decor moderne of the agency office. The government can have its red tape, but radio is darned if it doesn't have its bottleneck.

The theatre has always had its own training grounds for talent. There was the road, stock, vaudeville, community and little theatres, and even Chautauqua. Films from the very beginning developed its own talent. But radio has got by with borrowing its talent, until there is every possibility that the saturation point will be reached. Radio has trained no new comedians—thus the number of good radio comedians can be counted on the fingers of one hand with a finger or so missing. It has brought forth no great actor or actress, created no outstanding dramatic radio personality.

Time will come, and I have little doubt of it, when every advertising will see the need of having its own repertory company, of taking an active interest in the creation and the development of important radio talent.

Until then all the nice, new, lovely, fresh, young voices we all hear rumored about, but never get the chance to listen to over the airlanes, will just call out in the wilderness of metropolitan agencies' outer sanctums.

Alfred Dixon.

Previous Radio 'Sneak Preview'

Kansas City.

Editor, VARIETY:

Just bought your issue of Jan. 22, and promptly took issue with the statement in the radio section regarding the idea hatched by J. Walter Thompson writer Carroll Carroll that would take a new radio show 'out in the sticks' for a sneak preview.

'Way back last summer I dreamed up the same mess of mental meandering, with the result that a show I had just written, working title of 'Tommy Gale of the Box-T Ranch,' was sent to Hollywood where the first three episodes and a preview episode—one quarter-hour period giving flashes of scenes from the whole story—were transcribed. These were taken to radio station KOAM, NBC outlet in Pittsburg, Kansas, where they were shown in exactly the same manner as a screen sneak preview. In other words, plenty of spot announcements about a new program preview, but no hint as to type of either production or audience—just a flat announcement of the preview. Then the four quarter-hour episodes were run, divided by announcements offering small cash prizes for the best letters giving opinions on the program. Not even a word limit was placed on the letters, and no strings were attached.

Strange to relate, although the show was primarily designed for juveniles, almost all of the hundreds of letters were from adults who were intensely interested—either in the program or the 10 bucks, don't ask me which—and who were really intelligent in their criticisms. The district served by KOAM, in case you don't know, is a mining district lying at the junctions of Kansas, Oklahoma, Arkansas and Missouri. I still have many of these letters in proof of the fact that this real sneak preview took place.

However, I'd like to make clear that I don't think Carroll Carroll knew anything about it, and really thought he had given birth to a brand new idea. Carroll is still my idea of a good radio writer—and coming from another writer, that is compliment, if you know anything about professional jealousy. But I also like to hang onto any credit I might have coming. There is no cash, by the way, because the idea was not copyrighted. I might also mention that I've written to Mr. Reber of J. Walter Thompson, just to keep the record straight.

Just thought you'd like to know, that's all.

Cecil F. Holman,
Russell Comer Productions.

Prosperity Note

Roanoke, Va.

Editor, VARIETY:

Jeanette MacDonald broke all records for Roanoke in a recital at the Roanoke Auditorium last Saturday (Jan. 25). Under the sponsorship of Robert C. (Bob) Royer, one of the best known theatre managers in the South, SRO was at a premium, 3,296 entering the doors to hear and cheer the charming star.

The Defense Program is pouring millions of dollars into this section of the State, and the population is hungry for road attractions and amusement of the high order.

Fee Balthis,
Treasurer.
(Academy of Music.)

Put to Rout

Cleveland.

Editor, VARIETY:

The WGAR staff is permitting itself an elated smirk at VARIETY following the news that WGAR manager John F. Patt has been chosen as one of 'the 10 best-dressed men of Cleveland.' WGAR has never forgotten that VARIETY bestowed encomiums on Vernon Pribble of WTAM for his sartorial splendor.

John Patt's choice by the Ohio Retail Clothiers and Furnishers Assn., and the Men's Apparel Club of Ohio serves to suggest that VARIETY's editors will do better to stick to the editing of a fine publication, and let qualified judges make the proper selections in the field of male elegance.

WGAR, its honor satisfied by the distinction bestowed on its head man, forgives VARIETY, is willing to let bygones be bygones.

Maurice Condon.

(Condon is, if there's any doubt, WGAR's press agent.—Ed.).

ASCAP Fight Aids Drama

New York.

Editor, VARIETY:

The present ASCAP difficulty is resulting in quite a boom for suppliers of dramatic transcription programs. Several series of this type, having no music recorded on them at all, are now being readily sold to stations in all parts of the country. This is especially true of the case of the smaller stations, who have limited staffs available for checking music.

Charles Michelson,
Electrical Transcriptions.

Taxi Dancers

Continued from page 1

rags. The 25 hostesses are guaranteed a 50-50 split of the 10c per dance fee by the management.

The residents of Devil's Elbow (pop. 15) trying to cash in on their opportunity with sales of Ozark souvenirs, etc., because of the $250,000 weekly payroll being dished out by the government. More than 500 draftees already are in camp and a total of 34,000 will round out the quota for this training spot. Devil's Elbow is 163 miles from St. Louis.

And In Detroit

Detroit, Feb. 4.

Taxi dancing is springing up in the small towns and cities adjacent to army camps. Battle Creek has just installed its first; dime-a-dance biz is sometimes a nickel for soldiers. Providing lucrative takings from the recreation-seeking draftees at nearby Camp Custer.

THE HORN OF PLENTY

Reprinted from VARIETY *January 29, 1941*

EARLE, PHILLY

The most enthusiastic crowds since the days when jive fans almost tore down the doors to hear Benny Goodman, Tommy Dorsey, et al., are greeting the brand of hotcha being dished out at the Earle this week by its zingy all-sepia show. From opening to closing the house has been jammed by the devotees of swing. And for the first time in a long spell there has been a rash of trucking in the aisles by the customers.

Chief reason the joint is jumping is Erskine Hawkins crew, which has achieved an aura of class it lacked during the days when it played at the Strand Ballroom here. The rise in the band's popularity on the discs is evidenced by the applause that greets the introduction of numbers.

The cognoscenti seem to know just what to expect in advance. The band's two vocalists, Jimmy Mitchell and Ida James, got fine receptions when caught. Mitchell does an okay baritone job on 'Whispering Grass,' with Miss James' baby-voice vocalling netting her two encores. Her chirping is clicko in 'Argentina,' 'Something I Dreamed Last Night,' 'Let's Do It' and 'I Hear a Rhapsody.'

Hawkins makes a good impression in fronting band. He gives his boys plenty of room to shine without hogging the spot himself, a fault of many bandleaders. Best of the aggregation's bag-of-tunes is its perpetual fave, 'Tuxedo Junction. *Shal.*

THE 20th CENTURY GABRIEL

ERSKINE HAWKINS

and his Famous Orchestra

THE CREATOR OF "TUXEDO JUNCTION"

PERSONAL MANAGEMENT *GALE* INC., 48 WEST 48th ST. N. Y.

SCREEN RADIO MUSIC STAGE

VARIETY

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EMILY-POSTING ACTORS

Five-a-Day Rest Cure

Fred Allen, in a recent letter, puts a new light on the tough radio grind:

'Wish Poli or Pantages would come back and open up those circuits for a couple of seasons. I am sure that if Benny, Hope and all of us had a good rest doing four and five daily in vaudeville for a year or so we would all be better off. And people who listen to radios would be better off, too.'

Show Business in Spain Decadent; Uncensored Lowdown on Country

(The writer of the following, an American who's lived in Madrid, recently returned to the United States. Since he plans to go back to Spain his identity obviously must remain undisclosed in the light of his disclosures and the strict censorial setup in Spain.)

The picture industry in Spain is terrible. This belies considerable that has been written about the expansion of the film field there—stuff that has emerged under the searching gaze of totalitarian censorship. It applies, in fact, to all show biz in Spain.

The chief excuse for this situation is attributed to lack of capital and lack of equipment and studios which money only can make possible. They have some studios that are not bad at all, but even if you threw in all the studios and equipment of Hollywood, Spanish picts would be just as mediocre as they now are.

They lack film directors who know anything about the biz. Look at Italy. Next to Hollywood they have the best studios and equipment in

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FDR Birthday Fetes Pushed Actors Around; TA to Seek a New Deal

Theatre Authority, from reports, will demand from Keith Morgan, national chairman of the President's Infantile Paralysis Fund, a new deal for next year's Birthday Balls and benefit performances. Up to now, TA has had to set deals with each individual keycity committee, resulting in chaotic organization of actors' gratis performances and what TA considers an insufficient share of the receipts for the actor charities.

Regardless of what deal TA sets, actors are plenty burned up at what they consider was a 'pushing around' given them by politicians and Fund

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BOOKING A SKY PILOT

Detroit, Feb. 11.

Republic Pictures booker, Don Glennic, has resigned to go on the road as manager for his wife.

She is a w.k. evangelist hereabouts under the name of Donna Dalrymple.

No Room for Doubt

Cole Porter's 'Let's Be Buddies' tune out of 'Panama Hattie' is clicking in England, with the exception of a change in one line, originally phrased 'Let's keep up each other's morale.'

The British authorities take it for granted everybody in the Empire doesn't have to be reminded about any morale-bolstering, hence that line's been switched.

WILL HAYS' NEW 5-YEAR PACT ALL SET

New five-year contract for Will Hays is scheduled to be approved at the next meeting of the Motion Picture Producers & Distributors directorate. Directors' session may be delayed until Hays returns from the Coast. Before he left for Hollywood, Hays intimated he would be back in N. Y. before March 1 because he plans to start working on his report to the annual meeting soon after Feb. 20.

Pact is reported as ready, having been drawn several weeks ago, only the inking now being needed.

Vic Oliver-Sarah Churchill To Tour in Tennent Show

London, Feb. 11.

H. M. Tennent, Ltd., has readied a show for the road to carry radio comic Vic Oliver and his actress-wife, Sarah Churchill, daughter of the Prime Minister. Under title, 'Plays and Music,' picce is a mixture of Noel Coward's one-acters, readings from Clemence Dane's episodes from life of Queen Elizabeth, and fooling by Oliver. Joyce Carey and Hugh French are featured in support.

Star pair have long been angling for a suitable show to waft them to a well-primed hinterland.

WEITMAN SETS 11 BASIC RULES

N. Y. Paramount's Managing Director First Showman to Act On Necessity for Improved Stage Deportment —Necessity Born of Musician Greenness to Rostrum Work and Younger Talent's Inability to Break in Properly

SPREAD SEEN

Greenness of musicians to stage work, plus the fact that younger talent today has no break-in time on which to sandpaper the rough edges, has become increasingly noticeable to theatre operators and managers. It has been admitted for some time that stage showmanship of recent times is of a very low calibre in comparison to vaudeville as it once was. First showman to take action to remedy the situation is Robert Weitman, managing director of the Paramount, New York.

Weitman, who with Harry Kalcheim, Paramount booker, instituted the highly popular pit band policy, which has since been followed by several other houses all over the country, has sct down some basic rules of stage deportment which he insists all musicians, acts and specialties must henceforth follow when

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Clifton Webb's Snub To Press Is 'What's Wrong With the Road'?

Birmingham, Feb. 11.

Clifton Webb's brushoff of reporters on his arrival here for two-day showing last week (3-4) of 'The Man Who Came to Dinner' set off newspaper fireworks.

According to prominently placed stories in the afternoon papers, Webb refused all press interviews, declaring he wouldn't talk 'to Jesus Christ himself,' and was roundly roasted by the typewriter pounders as well as his local sponsors.

Francis Falkenburgh, manager of the Temple theatre, said 'Webb's attitude is what is wrong with the road show business.'

Banks a Comic Again

Hollywood, Feb. 11.

Monty Banks, onetime film comic who turned producer 13 years ago, reverts to type for a part in 'Blood and Sand' at 20th-Fox.

He has been identified with British production since he gave up thesping. He is married to Gracie Fields, the English star.

Coin Machines Falling Off, Too; Feel Lack of New ASCAP Songs

Add: Public Apathy

Maestros in the class spots around New York have noticed one thing since the ASCAP-radio imbroglio: that unless it's a chic crowd directly after a premiere of some new musical, the patrons aren't requesting tunes.

At first this was quite a shock to the leaders who, too frequently, are annoyed by overdone yesteryear or current faves —in which case the prop stalleroo, is 'We're just making a new arrangement'—but latterly they became reconciled to the seeming public apathy in music matters generally.

Record sales for coin machines and retail distributers are beginning to decline after six weeks of 'nothing new'. According to the distributors who cater to machine operators, the cause lies in the fact that since the Jan. 1 break of radio and the American Society of Composers, Authors and Publishers, no fresh material strong enough to sell has been issued. And that goes for Broadcast Music Inc. melodies in particular.

Since Jan. 1 BMI's hottest tunes have been 'Frenesi,' 'There I Go,' 'I Hear a Rhapsody' and 'I Give You My Word'. At the moment there is not one tune comparable to these on the BMI horizon—and the above named have already been worn threadbare by constant radio plugging. Result is that sales have shown evidences of climbing aboard a toboggan. Machine operators making weekly visits to the distribution marts, are confronted each week with the same tunes wrapped up in newer arrangements cut by additional bands, but no new and fresh material except perhaps a modern arrangement of a standard favorite.

The record companies can't help themselves. They have to confine themselves almost exclusively to BMI output in order to take advantage of the radio plugging. By now it's settled beyond any possible doubt how much constant air plugging re-

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GEORGE JESSEL LECTURES AT HARVARD

By HARRY PAUL

Cambridge, Mass., Feb. 11.

With three and one-half months of primary grade schooling to his credit, George Jessel, one of America's greatest wits, addressed Harvard College undergrads via their private radio network on 'How to Become a Successful After-Dinner Speaker and Toastmaster in One Easy Lesson.'

'I consider this a great honor,' Jessel began, 'to appear here at Harvard, where you have heard Eliot, Russell, Cabot, Lodge and Ann Corio.'

Miss Corio was guest-speaker on this station six weeks ago.

Jessel estimated he has spoken at over 500 dinners, but felt that the greatest toastmaster in this country

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Jolson, in Fla., Orders Sun Lamp From N. Y.

Al Jolson, who went to Palm Beach last week just after 'Hold On to Your Hats' closed on Broadway, was downed with a heavy cold after arriving in the southern resort. Inclement weather has caused any number of similar illnesscs in Florida this winter. Jolson phoned to New York, ordering a sun-ray lamp be sent to him.

Star contracted grippe in New York and chest congestion bordered upon pneumonia. 'Hats' layed off at the Shubert, N. Y., for a week while Jolson was being treated, then resumed, when the star decided to end the engagement. A suit started by Georgie Hale, who had a 20% interest in 'Hats,' is pending.

Nitery Op Moans $5 Per Brassiere Strip Will Put Him Out of Biz

Cleveland, Feb. 11.

Nitery owners who hire large contingents of strippers, and expect them to go the limit, were hit where it hurts most by a new surprise clause in American Guild of Variety Artists contracts.

Jerry Hathaway, proprietor of Regal Club, discovered it when he noticed a peeler keeping a firm grip on her brassiere all through her number on opening night. After the show he stormed backstage to demand how come she didn't remove

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Cohan's 40th Anni as Solo Star on Lincoln's Birthday

George M. Cohan's 40th anniversary of his solo stardom in the American theatre falls on Lincoln's Birthday (today) as it was Feb. 12, 1901, when he made his bow at the old Savoy theatre on 34th street, N. Y., in 'The Governor's Son.' This musical comedy was 100% written by himself, words, music and libretto, and he solo starred. Before that he was part of the Four Cohans.

Ethel Barrymore's 40th anniversary was made a national observance

15 Best Sheet Music Sellers

(Week ending Feb. 8, 1941)

I Hear a Rhapsody	BMI
Frenesi	Southern
It All Comes Back to Me Now	BMI
You Walked By	BMI
High on a Windy Hill	BMI
There'll Be Some Changes Made	Marks
So You're the One	BMI
Tonight (Perfidia)	Southern
May I Never Love Again	BMI
Let's Dream This One Out	BMI
I Give You My Word	BMI
*Last Time I Saw Paris	Chappell
*God Bless America	Berlin
*America I Love You	Mills
There I Go	BMI

Only song sellers from the ASCAP catalog

Miami Nitery Ops Take Raids in Stride; Royal Palm Ballys Casino's Reopening

Miami, Feb. 11.

It would require the services of a crystal gazer to predict with any authority whether current clamp-down on gambling operations here will have any noticeable effect on biz generally. Few of the local operators are taking current raids very seriously.

Members of the local syndicate are optimistic over their chances to continue operating, and opinion is that officials do not have any intention of ordering a complete suspension of activity. Their confidence is substantiated by highly publicized re-opening of the gaming rooms in the Royal Palm Friday night (7). During the raid early last week at this spot, constabulary took such care to avoid scratching the tables and equipment that it was facetiously suggested that the sheriff's office might profitably operate on a moving business on the side.

Meanwhile, in adjoining Broward county, enforcement officers have

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Just Showing Off

An early spring seems likely. This is the only explanation the VARIETY staff can offer for a story originating with one of its reporters this past week which contained the word 'empyrean.'

Blowing the dust off the office dictionary, it turns out that it's a word that's very rare, in fact classical. Only Dante and John Milton have been known to use it. And now VARIETY and in the story about b.o. being boff on B'way.

Years ago another VARIETY mugg tried to slip through 'pleonasm.' *Sime* wrote an editorial about that phenomenon.

HARRIS, SHUMLIN INSURE STARS AGAINST ILLNESS

Gertrude Lawrence, starring in 'Lady in the Dark,' Alvin, N. Y., is being insured against illness by Sam H. Harris, show's producer. Some details of the policy are still to be worked out, but the main provisions are that the manager is to receive $1,500 for each performance she misses because of ill health. Should 'Lady' be forced to close for that reason, then the insurance company is to pay $100,000.

Herman Shumlin, producer of 'The Corn Is Green,' National, N. Y., is understood to have taken similar protective measures with respect to Ethel Barrymore, starred in that show. Both shows are playing to standing room at all performances. Cost of the policies is made part of the production expense.

Peter Holden to Shuttle 'Tween Divorced Parents

Nyack, Feb. 11.

Peter Holden, child star of 'On Borrowed Time' in both its stage and screen versions, will divide his time between his mother and father by terms of an agreement reached here yesterday (Mon.) after an uncontested divorce hearing before Supreme Court Justice Gerald Nolan at New City.

With respect to the possible future employment of the boy in films, radio or plays, the agreement announced by the parents provides that any contracts need be signed only by the child's mother, except that the mother is to sign no such contract unless it is approved in writing by the father. One-third of the income derived from such employment, it is provided, is to be deposited in a trust fund of which both parents are to be trustees. Peter and his brother will receive this money when they reach 21.

Parents of the boy, whose real name is Peter Holden Parkhurst, are Mr. and Mrs. Winthrop Parkhurst. The agreement was made part of the interlocutory decree of divorce granted Parkhurst against his wife, nee Grace Moore.

GEORGE MURPHY'S POP AS CINEMATIC HERO

Hollywood, Feb. 11.

Life story of Mike Murphy, track coach at various times for Yale, Pennsylvania and Olympic teams, is about to be screened in a cavalcade of amateur athletics, based on material furnished by his son George Murphy, featured player at Metro.

Pennsylvania U. is honoring the Murphy name and fame at the dedication of its new Athletic Field Bldg. May 10.

Flanagan Coast Visit Stirs FTP Revival Talk

Hollywood, Feb. 11.

Mrs. Hallie Flanagan, who headed the Federal Theatre Project before it was junked by Congress more than a year ago, is spending a few days here, having arrived last week from the east.

Speculation over Mrs. Flanagan's visit has been aroused, as there has been quite a little talk hereabouts over reviving the FTP for the purpose of providing entertainment for youths called for compulsory training.

Bob Leonard's 18th Year

Hollywood, Feb. 11.

Robert Z. Leonard starts his 18th year on the Metro lot with a new producer-director contract. He draws 'Two Women' as his next assignment.

Choice for femme pair will fall among Greta Garbo, Norma Shearer, Myrna Loy and Hedy Lamarr.

Get Out Sarong, Dottie

Hollywood, Feb. 11.

Al Santell gets the director assignment on 'Aloma of the South Seas,' A. M. Botsford production at Paramount.

Dorothy Lamour and Jon Hall team up romantically, with Lynne Overman and Esther Fernandes in featured spots.

In the Glen of H'wood Coin for Glenn Miller And Glen Gray's Bands

Hollywood, Feb. 11.

Glenn Miller and Glen Gray's Casa Lomans will cut themselves a slice of picture coin being passed around to name bands. Miller checks in at 20th-Fox Feb. 24 for 'The Great American Broadcast' and the Casa Lomans are set for 'Show Business' at Columbia and a short at Warners.

Miller's crew will do a few one-nighters after the picture is finished so as to be available for retakes or added scenes. Gray is currently at the Palladium dancery.

HENRY ARMSTRONG AS A BANDLEADER

There are two plans for the formation of an orchestra under the direction of boxer Henry Armstrong, who recently revealed he would give up the ring to become a bandleader. One, which might be tried under the direction of Joe Glaser, manager of Louis Armstrong, Andy Kirk, et al., is to put the battler in front of an organized band and send him out on a week or two of bookings to test the reaction.

Second would plant him in front of a band, tailored for him alone and lay out an extensive route. First idea is to determine whether Armstrong as a leader would be good for only one swing around a circuit as a

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Jury Disagrees in Suit By Actress Over Burns

Suit of Erin O'Brien-Moore against Jack Lyons, in whose cafe she was critically burned after the premiere of 'The American Way,' Center, N.Y., Jan. 21, 1939, terminated for the time being when the jury could not agree last week. It was testified that Lyons, seated at Miss Moore's table, discarded a burning match which ignited the actress' evening gown. He admitted being at the table, but denied negligence, alleging the blaze started under the table.

Justice Peter J. Schmuck, sitting in N. Y. supreme court, dismissed the jury after it had deliberated but two and one-half hours. Jury disagreed as to the cause of the fire and did not reach the matter of damages. Understood that eight on the jury favored Miss Moore, four dissenting. In New York 10 out of 12 may arrive at a verdict in a civil suit.

No date for a new trial has been set, but it will probably be heard next month.

SAILINGS

Feb. 14 (San Francisco to Honolulu) Ben Fish (Matsonia).

Feb. 8 (New York to Rio de Janeiro) Mr. and Mrs. Clifford C. Fischer, Sol Shapiro (Brazil).

Feb. 8 (Los Angeles to Honolulu) S. Charles Einfeld (Lurline).

Louella Parsons Contract Still Pends

Marvin in L. A. — While Columnist Seeks Way Around Screen Guild's Verbotem

Hollywood, Feb. 11.

Dick Marvin, radio director of the William Esty agency, has come on from New York either to wind up or washup the deal with Louella Parsons, film gossip columnist, for Lifebuoy. Marvin has expressed himself as confident of consummating the contract, providing Miss Parsons is successful in squaring herself with the Screen Actors Guild, which has ruled against the proposed Lifebuoy setup. The Guild charged that the program would serve to depress the salaries of guest stars since they would be compensated fractionally by the studios instead of the sponsor meeting their full price.

Understood that the columnist will go to the mat with the studios if they don't stick with her on the Lifebuoy proposition while they continue to supply talent gratis to the Kate Smith-General Foods program. Her particular target would be Paramount which is working out a five-picture deal with the Smith show.

THE BERLE-ING POINT

By Milton Berle

Miami Beach, Feb. 11.

The weather here this past week has been lovely. It was so warm the other day that you could go out without an overcoat.

My mother is the belle of the beach. It isn't everybody that has a mink bathing suit.

A practical Florida manufacturer, who wasn't going to let the weather hurt his business, is making a combination suntan oil, furniture polish and pancake syrup.

Art Childers renewed Abe Lyman's contract at the Royal Palms, but there was a clause in the contract which said that Childers didn't have to smoke any of Lyman's cigars.

Joe E. Lewis has a one-track mind—Hialeah.

A restaurant near the Raleigh hotel has a sign: 'Not responsible for lost articles or indigestion.'

Definition of a Florida bathing suit: Two bandannas and a prayer.

Broadway Dept.

They finally located my uncle, who has been missing for two weeks. He was in the lobby of the Fulton theatre trying to buy tickets for 'Arsenic and Old Lace.'

Ethel Barrymore celebrated her 40th anniversary in the theatre. (I've got jokes older than that.)

The night clubs in New York are so quiet that George White is doing all his fighting at his own place.

A recent new play on Broadway closed after three performances because of bad language—by the critics.

First time in four years I will miss the N. Y. Press Photographers Ball at the Astor, and only a Florida job could keep me away. However, some of my material will be there in the form of other comedians.

Broadway Rose is now a photographer's model. She was signed as the 'Before' in a 'Before and After Using Our Shampoo' ad.

Hollywoodiana.

Hear that Ben Bernie is getting absent-minded. He went to a theatre the other day and put his toupee under the seat.

The weather was so cold one day in Hollywood that when somebody gave Billy Gilbert a hot foot it turned into an icicle.

Bing Crosby now supplies his jockeys with flashlights so his horses can come in after dark.

Cesar Romero writes that the safest way for a pedestrian to cross Hollywood Blvd., is by airplane.

A certain producer brags about the fact that he came to this country without a dime in his pocket—and now he owes more than $50,000.

Somebody is spreading a false rumor that the California weather forecasters are going to hold a convention in Florida this year.

Music Dept.

Do you think BMI songs will bring back Mustache Cups?

With the song lads talking letters like MPPA, PMMA, ASCAP, BMI and SESAC, you can't tell whether they're speaking about the music business or Government projects.

Bernie Pollack wanted to know the least expensive way to go to Florida. Another song publisher's lad told him: 'You're so skinny that if you walk into the train sideways the conductor will never know you're there.'

Radio Dept.

Toscanini is leaving NBC to direct the New York Philharmonic and the Metropolitan opera. What's he got against BMI?

Jerry Colonna calls himself 'the perpetual quiz program.' Every time he meets people the first question they ask is: 'Is your mustache true or false?'

A bandleader friend of mine went to the doctor complaining that he had horrible nightmares. Every night, he said, he dreamed of Jeannie with the light brown hair.

Hangnail Descriptions

Deanna Durbin: Vaughn to be Loved. *Edgar Bergen:* The Lumber King. *Phil Harris:* Benny sent me. *John Barrymore:* An ad for black coffee. *W. C. Fields:* A spot light with legs. *Walter Winchell:* Uncle Sam's No. 1 Vigilante.

Observation Dept.

I've been doing so much traveling in the last few months that I've been elected an honorary gypsy.

Went to the races yesterday. When I got there I felt like a million. When I left I felt like 2c.

Eavesdropped at Mother Kelly's: 'She's so fat she outnumbers herself two to one.'

Eavesdropped at Club Bali: 'They're celebrating their tin anniversary—five years of eating out of cans.'

A society girl I know has been thrown out of so many night clubs that she's hired an adagio dancer to stand outside and catch her.

Other people get a run for their money when they bet on a horse. The best I get is a walk.

Whatever Became of—????

Myers and Hanford	Ruiz and Bonita
Mabel and Dora Ford	Bert Errol
Burns and Frabito	Sterling Saxophone Four

Afterpiece

Got the surprise of my life—met a guy down here that didn't build a new hotel on Miami Beach!

Danny Kaye's Discs

Comedian Danny Kaye has been signed by Columbia Records for one year to record songs and comedy sequences in his repertoire. He begins recording his stuff this week. It will be released the 50c Columbia label.

Kaye is currently doubling from a spot in the Broadway hit 'Lady in the Dark' to the floor show at the La Martinique. He may record some of the songs from 'Lady.'

L. A. to N. Y.

Milton Ager.
Ben Bernie.
George Burroughs.
Lee Cooley.
Howard Dietz.
Arthur de Stefano.
Monroe Greenthal.
Tom Harrington.
Jack Hively.
W. Ray Johnston.
Guy Kibbee.
Harry Link.
Hollis Moyse.
Oscar Oldknow.
Steve Pallos.
Joe Perry.
Jack Runyon.
Johnny Rine.
Louis Ruthstein.
Donald Saxon.
C. W. Smith.
Eleanor Smith.
Harry Ward.

Cohan, Buck Will Be Un-Masqued in H'wood

Hollywood, Feb. 11.

George M. Cohan and Gene Buck will be guests of honor at a testimonial dinner at the Masquers club Feb. 23. A similar show was thrown for Cohan the last time he was in Hollywood, five years ago.

William Collier, Sr., will be toastmaster and Edward Earle has charge of arrangements.

N. Y. to L. A.

Jane Broder.
Janis Carter.
Kyle Crichton.
Lynn Farnol.
Michael Fessier.
Glenn Ford.
Jack Forrester.
Al Goldsmith.
Vicente Gomez.
Leland Hayward.
Jean Hersholt.
Mrs. Boris Karloff.
Wolfe Kaufman.
Dorothy Kay.
James Mulvey.
Ona Munson.
Herman Shumlin.
Arthur Ungar.
John C. Wilson.
Herbert J. Yates.

BRITISH A. M. LEGIT OKAY

Foresight at a Premium

With ASCAP publishing houses holding back tunes, until the radio situation rights itself, and the recording companies reaping an extra heavy harvest, the music trade sees a good chance for filmusicals to assert themselves. That is, if the theory works out that the public will become hungry for new musical divertissement.

As it is, the diskers are holding back a bit in waxing Broadway production tunes, but they're issuing quite a few film songs, current and old; ditto remakes of standards like 'Tea for Two,' etc.

The trade wonders what will happen when the supply starts to wear thin, although it's expected that the present Washington huddles with ASCAP will hasten an amelioration of the situation.

Stoki's Rumored Dates With Symph Revive Tales of His Last Encounter

Reports that Leopold Stokowski will be one of the name guest conductors with the N. Y. Philharmonic-Symphony orchestra for its centenary celebration next season have caused lively speculation in concert circles. Accepted belief has been that Stoki couldn't return to direct the Philharmonic because of the ill-feeling resulting from his last appearance with the group some years ago.

Bitter quarrel between the conductor and musicians was minor, though intense, scandal in musical circles at that time. There were various stinging accusations by both sides and it was openly predicted that if Stoki ever attempted to return to the Philharmonic the men of the orchestra would 'chase him off the podium.' Claiming that he was abusive and unjust, the musicians were reported to have warned the management that they would never again play for the blonde maestro.

Stoki, on the other hand, said privately at the time that he found the Philharmonic members unre-

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Selznick Wants To Do Pic on England In the War Today

Although set to go into production shortly on 'Jane Eyre,' David O. Selznick is apparently determined to do a film on England in the war in the near future. He has been registering numerous titles with this slant for the past four months.

Latest are 'There'll Always Be an England' and 'War Eagles.' He had previously laid claim to 'Beaches of Dunkirk' and several variations. He has also staked out 'Aaron Burr.'

20th-Fox is apparently likewise interested in the Dunkirk theme. It has asked priority on 'A Yank at Dunkirk' as well as 'A Yank in the RAF.' Loew-Lewin are holding 'Royal Air Force,' while Walter Wanger has 'Royal Air Force Squadron.' Wanger, incidentally has also responded to the urge of rhumbaland, roping off 'Jimmy Angel's Adventures in Latin America' and 'Pan-American Clipper.'

On the war theme, Paramount holds the title 'Bomb Sight' and 'His Number's Up'; Warner Bros., 'Bomb Shelter'; RKO, 'Parachute Invasion'; Columbia, 'Submarine Zone' and 'Running the Blockade.'

FLOCK OF UNIVERSAL PRODUCERS ON B'WAY

Flock of Universal production employes poured into New York over the weekend for a gander at the legiters, talks with home office execs and vacations.

They include Milton Feld, exec producer; George Marshall, free-lance director, who's set to handle the meg on a couple of U films; Frank Shaw, assistant director; Bruce Manning, producer and writer, and Felix Jackson, writer. Last two came to New York from Miami, where they attended the 'Back Street' preem. Others came in from the Coast.

That Ole Debbil Drum

Detroit, Feb. 11.

America is jungle at heart when it comes to music, according to Ruth St. Denis, the interpretative dancer, in a talk here.

'America is under what I call the Tyranny of the Drum,' the dancer said. 'America is rhythmic but not musical.'

ANOTHER TRY TO 'CLEAN UP BROADWAY'

The Broadway Association is laying plans to put teeth into a campaign, on which discusslons were held last summer but nothing done, to brush up the Times Square area in New York for the benefit of all business, including theatres, which operate in the section.

Robert K. Christenberry, president of the Broadway Association, and managing director of the Hotel Astor, is taking the initiative in a determined move to 'clean up Broadway,' and during the past week started huddles with business men, theatre managers and others whose cooperation is sought.

Deputy Commissioner of Police Francis J. Kear has been designated as the downtown contact on the proposed drive to rid the Gay White

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Lois Andrews Scrams Boston; Drop Charges Against Versailles Club

Boston, Feb. 11.

State and municipal authorities dropped charges against the Versailles Club when they learned that Lois Andrews (Mrs. George Jessel) had left for parts unknown. Nitery faced possible charges for employing a minor as an entertainer in a place serving liquor.

Miss Andrews' engagement terminated suddenly Jan. 30 when an investigation into her age was precipitated by complaints allegedly from bluenose organizations.

George Jessel was held over three extra days at the Mayfair Club after breaking attendance and cash records made earlier this season by Sophie Tucker.

Like the Old Days at U

Hollywood, Feb. 11.

Reminiscent of the old days is the roster of names on the Universal lot. In the femme contingent are Marlene Dietrich, Irene Dunne, Loretta Young, Joan Blondell and Kay Francis.

Brian Aherne, Robert Montgomery, Roland Young, Dick Powell and Edward Arnold make up the male cluster.

MORNING SHOWS SURPRISE B. O.

Leslie Henson Started Provincial Trend in Manchester With 'Crusoe' Pantomime, Theatres Elsewhere Following Suit — Setup Mulled for London

CURTAIN AT 10:30 A.M.

London, Jan. 17.

Morning business for stageshows is another queer development of the wartime road, where patronage is surprising managers. Palace theatre, Manchester, innovated the a.m. start, comedian Leslie Henson ringing up his 'Robinson Crusoe' pantomime at 10:30. Henson reports b.o. results as astonishing.

Other provincial houses are following this morning trade lure. Leeds, Sheffield and Nottingham all indicating pleasurable take. Grand theatre, Leeds, is consequently abandoning three night shows.

Henson has indicated he's mulling the idea for London when bowing his 'Up and Doing' musical next month. Contacted on the trend, London managers see it as okay for hinterland but unlikely to fit blase metropolis trade.

As to its b.o. boost, opinion is longer daylight hours ahead with summer will be all that are necessary to take care of the West End. Winter has taken a good deal of the edge off the air blitz and there's improvement seen over nightmare conditions of September last. Hope is not confined to show business.

Many Showmen, Literati In 'United Americans,' New Politico Group

Surprising proportion of the sponsors of 'United Americans,' new national non-partisan movement recently organized to support the foreign policies of President Roosevelt, even at the cost of war, stem from pictures, legit, the publishing biz and kindred fields.

Group, as founded by Orvill S. McPherson, publisher of the Kansas City Journal, approve of all-out aid to Great Britain as a matter of national defense and guarantee the President and Congress 100% support in the event of an American entry into the war.

Listed among the sponsors of the new organization, which is independent of the 'Committee to Defend America by Aiding the Allies,' are such varied personalities as William Green, president of the American Federation of Labor; Maxwell Anderson, the playwright; Douglas Fairbanks, Jr.; Leo Carrillo, Tululah Bankhead, Margalo Gillmore, Victor Moore, Louis Bromfield, Lyman Beecher Stowe, A. J. Balaban, Carveth Wells, Rex Stout, John Farrar and Manchester Boddy, publisher of the Los Angeles News.

N.Y.U. BREVETS JOHN CROMWELL'S DIRECTION

John Cromwell has been named first recipient of an award by New York University for 'Exceptional and Consistent High Quality of Directorial Craftsmanship.' He's getting a silver cup, which is currently en route to Hollywood, according to Dr. Frederic M. Thrasher, head of the NYU film course.

Among Cromwell's directorial successes named were 'Of Human Bondage,' 'Jalna,' 'Algiers,' 'Abe Lincoln in Illinois' and 'The Prisoner of Zenda.'

Met Opera's 10th Week Grossed 113G, Net Loss $1,000; Tuminia's Click

Previewing Spaghetti

Buitoni's, N. Y., newest eating shop in Times Square, opens Thursday (13) night. It's a place where for 25c as much spaghetti and coffee as one can consume will be offered. But that doesn't go for the preview in the afternoon, where a champagne party will be held for guests and the press.

Spot is located next to the Palace theatre, operated by a firm specializing in American-made spaghetti.

The Metropolitan Opera Co. of N. Y. closed its 10th week of the season Monday (10) with a net loss of approximately $1,000, and a total gross of $113,000 including a Tuesday sellout performance of 'Tristan Und Isolde' in Philadelphia. This was one of the Met's better weeks, being topped by only two others during the season.

As usual, one performance spoiled the week, this being 'Alceste,' Monday (10), with a gross of $8,000, or a loss of $4,500. The Met has taken a beating with the Gluck opera having dropped close to $18,000 on three performances.

Monday (3), 'Otello,' drew a $14,000 house with a profit of $2,000, the name draws of Rethberg, Martinelli and Tibbett packing 'em in.

Tuesday (4) in Philly the house was sold out for the Flagsted-Melchior 'Tristan,' with a gross of $15,000.

Wednesday (5), 'Nozzi di Figaro,' drew about $10,000, a loss of $2,000.

Thursday (6), 'Tannhauser,' failed to draw even with Flagsted and Melchior and grossed $11,000, with a loss of $2,000. Vox pop seems to recognize the fact that the Nor-

(Continued on page 38)

B'WAY PAR SETS BANDS, ACTS TO JULY 4

Lining up bands and special attractions far in advance, as protection against opposition bookers, the Paramount, N. Y., is set on orchestras and various lead supporting personalities through to July 4. Theatre also takes protection in numerous instances for a radius of 30 miles, in some cases preventing dates ahead of the Par, others behind, up to six months.

A total of 11 bands has been booked, but the films with which they play are not made up for more than two or three at a time. House never has guaranteed any band the film that will play with it.

Starting with Ella Fitzgerald's band, directed by Babe Wallace, which opens at the N. Y. Par Wednesday (19), others set are Tony Pastor, Benny Goodman, Charlie Barnet, Gene Krupa, Mitchell Ayres, Vaughn Monroe, Will Bradley, Xavier Cugat, Leo Brown, Tommy Dorsey. Acts already on the books include Ben Blue, Ella Logan, Andrews Sisters, Jack Leonard, the Ink Spots, Red Skelton, Kenny Baker, Jane Froman and Danny Kaye. In the case of both bands and acts, many have played the house before.

Vaude Team 'Breaches Good Taste' at Cal. Gov.'s Dinner; Public Rebuke

Sacramento, Feb. 11.

Resolution panning couple of Hollywood vaudeville entertainers for 'breach of good taste' at the recent dinner tossed by Gov. Culbert Olson here, has been unanimously adopted by the lower house. Official action was taken following introduction of the resolution by Assemblyman Paul A. Richie of San Diego, and expressed the Assembly's disapproval of 'raw' lines introduced by two of the entertainers brought here for the affair.

Assembly's action in reprimanding the Hollywood pair was taken 'as a public duty.' The resolution, unique in legislative circles, follows:

'Whereas, a breach of good taste occurred in connection with the entertainment feature of the Governor's recent dinner in Sacramento at which members of the Assembly were among the honored guests; and

'Whereas, members of the Assembly are fully aware that this regretable occurrence, precipitated by professional entertainers, did not have the sanction of the Governor; now, therefore be it

'Resolved by the Assembly, That it herewith records, as a public duty, its displeasure of such violation of good taste; and be it further

'Resolved, that the Assembly express its sympathy to the Governor in what we must feel was a situation distasteful to him.'

CONNIE NICKERSON NEARLY RECOVERED

Hollywood, Feb. 11.

Connie Nickerson, actress-wife of film actor Eddie Bracken, is nearly recovered from injuries received in an automobile accident last November. She is now able to sit up in bed and occasionally stand for short intervals. Doctors expect to let her begin walking again within a week or two.

Actress suffered a fractured pelvis and other injuries when the car in which she and Bracken were driving was forced off the road. Bracken had just finished a picture and they were on their way east. They hope to visit New York when Bracken completes his current film, 'Caught in the Draft,' with Bob Hope, at Paramount.

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De Sylva's Yen to Continue as Pix Producer Figured in His Par Deal

B. G. (Buddy) de Sylva, whose appointment as production head at Paramount came as a surprise to both Broadway and Hollywood last week, will devote his entire time to his new chore, it is understood. Although his new contract is said to allow him time to return to Broadway to prepare further musicals whenever he chooses, it is reported he will produce several films on his own as well as supervise all picture-making on the lot, which will permit him little free time.

De Sylva, ever since making 'Bachelor Mother' for RKO, is known to have had a hankering to continue pic work. In between the RKO job and his current chore on Par's 'Caught in the Draft,' he had returned to Broadway to produce musicals, 'Du Barry Was a Lady,' 'Louisiana Purchase' and 'Panama Hattie' being three hits in a row.

Henry Ginsberg, Par studio head, was aware of DeSylva's film yen and induced the producer to accept a deal for a limited number of pictures over a three-year period. When DeSylva came into the fold, Y. Frank Freeman, v.p. in charge of production, became enthused over his picture-making ideas and, inasmuch as he had several Broadway shows which Hollywood had not yet acquired, felt it would be a smart thing to cement relations by planning to make him top exec if William LeBaron decided to abdicate.

LeBaron Indifferent

LeBaron, who holds the title of managing director of production, has wanted to resign for several years. He has been indifferent every time his option has come up, and the company has virtually foisted renewals on him. His contract, which he was willing to forget, is up in April, when he steps out. It calls for $3,000 weekly, but the producer is independently wealthy and prefers to follow his own desires.

LeBaron has long wanted to hold the throttle on his own production unit, making a couple of pictures a year, preferably musicals. It's likely that he'll go to Metro under an indie arrangement, as offers from that plant about a month ago have been followed by lengthy negotiations. About 18 months ago there was a plan for him to head a group of independents working out a release at United Artists, but the deal blew up.

Starting with the old Hearst Cosmopolitan outfit, LeBaron later took over Par's Long Island production. From there he went to FBO and then assumed charge of RKO's plant.

U. CORP.'S FINE $2,232,805 NET

Universal Corp., parent company of Universal Pictures and other subsidiaries, mailed its security holders this week a statement showing consolidated net profit of $2,232,805, after all charges including Income taxes and dividend requirements on the outstanding first preferred stock of Universal Pictures Co., Inc., for the fiscal year ended last Nov. 2. This compares with a net consolidated profit of $999,110 in the preceding year or an increase of 123%.

Universal Corp. net is $157,967 less than that shown by Universal Pictures, the principal and operating subsid, which, two weeks ago, reported $2,390,772. Providing for divvy requirements on the outstanding first preferred make up a large portion of this difference. Universal Corp. statement showed that deficit carried in its profit and loss statement had been reduced from $2,802,103 as of Oct. 28, 1939, to $553,039 on Nov. 2 last year.

Wilson Aides DeSylva

Hollywood, Feb. 11.

Hal Wilson, who joined Paramount recently as an associate producer in Sol C. Siegel's unit, has been named assistant to B. G. de Sylva, newly appointed executive producer who succeeded William LeBaron.

Studio also signed Monte Bell, long-time silent director, as a producer.

LeBaron and Mayer Talking M-G Contract

Hollywood, Feb. 11.

Negotiations are continuing at Metro between L. B. Mayer and William LeBaron on a deal for the recent Paramount executive producer to head his own production unit.

LeBaron has a similar arrangement under consideration at Paramount.

Looks Like Fall Trial Now for U.S. Vs. UA, Col. and U

Trial of the Department of Justice's anti-trust suit against Columbia, United Artists and Universal, which the Government confidently expected to get under way in the spring, will probably not be reached before fall. Recent delays have put off till Feb. 17 applications by the three companies to either dismiss the complaint or to strike those portions of it which refer to the five producer-exhibitors.

Following a decision on these points the defendants are expected to submit many interrogatories. The Government will probably be forced to amend its complaint somewhat on the first plea, and before it finishes providing interrogatories, and the defendants have filed answers in which renewals for dismissals are expected to be made, the summer is expected to be over.

Examinations before trial are also expected to be included as well. The Government then will be lucky to have its case finished and awaiting a decision by January, 1942.

LeROY LOSES A POINT IN AGENT'S 25G SUIT

Mervyn LeRoy lost a plea for summary judgment dismissing a $25,000 suit against him by Leonard Goldstein, agent, when Justice Aaron J. Levy in N. Y. supreme court ruled the suit had triable issues (5). Action claims failure to live up to an agreement.

Plaintiff was agent for Kenny Baker whom he also sued for non-payment of commissions. He claimed LeRoy persuaded Goldstein to drop the action for $1,000, promising the agent adequate compansation for Baker's contract. The action was discontinued, but LeRoy failed to pay. The producer claims, as a defense, that Goldstein had no agent's license when the agreement with Baker was made, and is suing Goldstein for $500 on a note endorsed by himself which Goldstein defaulted on.

Leonard Goldstein is also a western film producer, known as Leonard G. Leonard. His brother is Bob Goldstein, now in the New York radio biz.

Mayer, Wanger's Talks

San Francisco, Feb. 11.

Louis B. Mayer is skedded to be principal speaker at the annual Shrine St. Patrick's Day luncheon in Civic Auditorium March 15. Affair is one of Frisco's biggest yearly events.

Others on the program will include Walter Wanger.

WB Execs Defer Trip

Trek to Coast of Warner Bros. home office executives headed by Grad Sears, Sam Schneider and Mort Blumenstock, originally scheduled for early this month, has been postponed until March 8.

New York Warner officials will huddle on product for remainder of 1940-41 season, and go over details concerned with distribution of top pictures.

Exhib's Wife Buried $60,000 in Cash And Lost It; Two Indicted

Atlantic City, Feb. 11.

Mrs. Edward Skyrm's charges that $60,000 disappeared from a spot where she buried it two years ago, resulted in arrest and grand jury indictment of Charles Oberle, Jr., and his wife on Friday (7) at Somers Point. Mrs. Skyrm, whose husband owns Seaside theatre, Somers Point, said she buried the money under the steps of a house where she lived at the time and when she looked for it later it was gone. She said the $60,000 was all in bills of $500, $100 and $50 denominations, and she buried it for safekeeping.

Three months ago Skyrm started suit against his wife in Chancery Court for an accounting of $80,000. In his complaint, he charged she deserted him on Jan. 21, 1939, while they were in Florida and returned to Somers Point, taking $80,000 from a place where he hid his savings. Mrs. Skyrm filed answer that she took only $20,000 of it, and buried the remainder under the steps.

Prosecutor H. R. Coulomb, of Atlantic County, said the case had been under investigation by his office and by private detectives for two years.

PAR MULLS $2-ING 'WINGS' AT ASTOR, N.Y.

Feeling that it deserves special handling, Paramount will reach a decision in probably 10 days as to whether 'I Wanted Wings' will be roadshown or in just what manner it will be exhibited, together with the sales policy to apply.

Inquiries, meantime, have been made concerning the Astor, N. Y., which will be available following the current run of 'Dictator.' The Chaplin picture is not expected to remain much longer, with result if Par decides on $2-ing 'Wings' it may go in there early this spring. Twice-daily runs in other cities, including Los Angeles, may also figure.

Determination of policy for 'Wings,' which is off the 1940-41 release schedule, has been held up due to the fact that Par executives have not seen it in its finished state. It was previously viewed without a sound track and in 14,000 feet prior to cutting.

'Wings' is reported to have cost around $1,200,000.

WARBURG'S DEBATE

Banker (Also Film Exec) Opposes Compulsory Arbitration

Whether or not the Government should require that business and labor take their disputes to arbitration when projects involving national defense figures, is to be debated Friday (14) in New York with Paul Felix Warburg to argue against such compulsory arbitration.

Warburg, of J. S. Bache & Co., stock brokerage firm, is chairman of the administrative committee having jurisdiction of the film industry under the consent decree. Rep. E. E. Cox of Georgia, member of the House Rules Committee, will debate Warburg on his stand. Approximately 100 representatives of industry, labor and national defense agencies will attend.

Other News Pertaining to Pictures

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Nick Schenck Voted New 5-Year Contract as Prez of Loew's, Inc.

Nicholas M. Schenck, president of Loew's, Inc., was voted a five-year contract with the company beginning Jan. 1 next, at a meeting of company stockholders held yesterday (Tuesday) in lieu of the usual annual session which was deferred from last December. Schenck's current pact runs until Dec. 31, 1941. New contract calls for $2,500 weekly salary, including expense allowance, except for expenses while traveling, plus 2½% of combined annual net profits after normal deductions such as payment of $2 annually on the common, taxes, interest payments, etc. Also given option to buy 46,492 shares of common during period of contract at $40 each.

Yesterday's meeting also reelected the present board of directors comprising George N. Armsby, David Bernstein, Leopold Friedman, John R. Hazel, Al Lichtman, Charles C. Moskowitz, William A. Parker, J. Robert Rubin, Nicholas M. Schenck, Joseph R. Vogel, David Warfield and Henry Rogers Winthrop.

A. Hirschman, only stockholder present to raise an objection to the Schenck long-term pact 'in view of the present trying times and world uncertainty,' recalled this mild protest when several other shareholders vigorously defended Schenck's strong management. Director Rubin, a company vice-president, explained the corporation had been through one depression and 'kept the flag flying for Loew stockholders.' He also cited that the company still is leader of the whole industry. Rubin said he had worked alongside Schenck for 25 years and personally was familiar with his capabilities as a Loew executive.

Foreign Market Analysis

Bernstein explained that the corporation depended on foreign distribution for about one-fourth of its revenue, but said it was impossible to break down the percentage as to the continent and South America when asked by Harry Schultz, a stockholder. Bernstein also reported that he knew of no films which had been shelved on questioning by Schultz. He also indicated that the company had about $3,000,000 tied up in Great Britain because of monetary freezing as of last Jan. 2.

Director Rubin said that amortization tables had been shifted so that presently more burden is carried by domestic market, with only 25% allocated to the foreign field. He explained that the $2,000,000 contingency fund, written off in the last fiscal year's earnings statement, was set up to cover possible losses in the foreign market. He stated that the increased amortization was being well absorbed by the domestic field.

Gabin Ready to Leave Lisbon for 20th in U.S.

Jean Gabin, French player best known in America for his work in 'Grand Illusion' and 'Pepe Le Moko,' is expected to leave Lisbon in a couple of weeks for N. Y. to report for work at 20th-Fox studios.

Gabin recently signatured a term pact with 20th-Fox. He may not work in pictures for several months because the studio will want to polish up his English.

Decide Future Of Welles' Pic By This Week

Tale will be told by the end of the current week on the future of Orson Welles' 'Citizen Kane,' it is expected. Although the film is set for release around Feb. 27, no theatre has yet been set for the first date. Trouble ahoy is the forecast if RKO does not announce before Friday (14) afternoon an opening for the film which William Randolph Hearst is said to allege too closely parallels his life.

Although it appears likely that 'Kane' will be released, danger is said to lay in a rift that has developed within the board of directors over the film. Prex George J. Schaefer, backed by one group, has been adamant that Welles' initial celluloid entry be released, while another clique is definitely against it. It can be safely said that the wrangling in high places was powerful and furious prior to Schaefer's departure by plane for the Coast on Monday (10) night.

Welles, in the meantime, has repeated privately that he will take legal steps should there be a holdup on the film, as he is a part-owner of it. He made it on a deal giving him 25% of the gross after production costs are taken out. Whether or not he'd actually go to court is something, however, that would probably hinge entirely on Schaefer's wishes, as the RKO prez and Welles are close friends.

There has been some talk of the picture going out on a roadshow basis in the early dates, which the Welles side feels would be highly desirable. Release chart issued yesterday (Tuesday), in fact, advised branches not to take 'Kane' dates because pic may be roadshown, although more may be back of the admonition. Other schemes are also afoot for pre-testing the picture before letting it go into general release. Tests apparently wouldn't only be of the film's drawing power or to determine policy, but to test what Hearst will do.

National magazine ads are due to break on 'Kane' around Feb. 20, so it becomes imperative that the film be released shortly after that time. Picture has already obtained much good word of mouth from those who have seen it and RKO is looking forward to strong b.o. if the headaches don't grow too big.

Milwaukee Ban

Milwaukee, Feb. 11.

William Randolph Hearst's ire over the impending RKO-Orson Welles production 'Citizen Kane' has been made manifest here, as elsewhere, by the publisher's local sheet, The Sentinel, banning all RKO publicity, regardless of when or what it concerns. When 'Kitty Foyle' was brought into the Warner theatre for its first downtown run it was thought the bars might be let down for at least a perfunctory review, or possibly an adverse one, but not a line was permitted to appear.

In the newspaper's general gossip columns from Hollywood columnists all reference to RKO is carefully deleted.

'Miss Pinky' for Smith

Hollywood, Feb. 11.

Warners assigned Noel Smith to direct 'The Return of Miss Pinkerton.'

Screen play is being written by Anthony Coldeway.

Lyric, Indpls., Sale May Hasten Olson's Yen for Retirement

Indianapolis, Feb. 11.

Announcement was made Thursday (6) of the sale of a major portion of the Lyric Theatre Bldg., a three-story structure housing the vaudfilm Lyric here. House is now operated by Charles M. Olson though he owns none of the property. Whether or not Olson will continue to operate is a question. He has had a yen to retire for a good many years but stuck to the job because of his friendship for George Fish who helped him get into the theatre business originally.

Several years ago, Olson went to California to live. The house was leased to Fred Dolle of Louisville, Ky., now co-operator of the Indiana and Circle theatres here. Business languished and the house was in the red so often that the property owners prevailed on Olson to come back to take it over for them, working on a percentage arrangement.

During the past six and a half years, the Lyric has played 52 weeks of stage shows a year, being closed only once, in 1939, during a stagehands' strike. The house has been making money and built up a neat cash reserve during the fat years. During 1940, the boxoffice slumped somewhat, but not disastrously.

FREER COIN FOR UA PRODS.

Joe Schenck Says 20th in '41-42 Will Turn Out 44 Pix for $20,000,000; Revises Ideas on 'Epics,' Foreign Coin

Twentieth Century-Fox will make 44 pictures for the 1941-42 season, Joseph M. Schenck, chairman of the board, disclosed in New York this week. Total budget will be $20,000,000, same as for the current year, for which 52 pictures were promised. However, said Schenck, only 48 will be delivered.

Darryl F. Zanuck, as in the past, will be in charge of the entire production operation, the company chief declared, and will personally produce the 24 top-budget pictures. Schenck said 20th-Fox has virtually its entire slate of production for next season set and will be ready with the first block of five in July.

Two films a year that 20th expects to get from the William Hawks-Ronald Colman-Irene Dunne unit will be sold separately, Schenck said, and will be in addition to the 44 scheduled. Schenck declared the deal with the unit had not been closed, but it was virtually certain it would be on a basis by which 20th paid production costs and split evenly the net profits. He declared Fox would welcome other such arrangements with top-flight units but none is now in prospect.

With the studio well ahead of schedule on the current season's output in its effort to get an early start on pictures to be sold under the consent decree, Schenck said he expected that the second group of five will be ready in August. However, he made clear, there is full intention of selling pictures singly or in groups of twos or threes frequently during the year, rather than going to extremes to rush five at a time into preparedness.

Schenck has been in New York for almost the past two weeks in connection with the Government suit against him on income tax charges. Set to come before the Federal court Monday (10), trial was held over until next Monday (17) because the judge was hearing draft evasion cases.

Readily admitting that 1940 was no banner year for his company, citing disappointment in the grosses of 'Brigham Young,' 'Hudson's Bay' and 'Chad Hanna,' among others, Schenck looks forward with optimism to the coming season.

'Didn't Have a Good Year'

'We didn't have a good year,' he asserted, 'but we know better than to blame it on anyone else but ourselves. Next year's going to be different, however, because we have reorganized—not reorganized the personnel or mechanics of our production—but our ideas. We went through most of the current season still working with ideas of the foreign market in our mind. In 1941-42 there's going to be complete concentration on the U. S. market. We're going to have only pictures that will appeal to 100% of America's potential audience.'

'Epic' type film is 'finished at Fox,' Schenck declared. Only when stories contain characters strong enough in their own way to carry the film will historicals or biographies be attempted. Emphasis, instead, will be on lighter-veined things, such as 'Charley's Aunt,' legiter just purchased for $110,000.

Endorses 'Consent'

Consent decree plan of selling pictures after they have been tradeshown may be one of the best things that has happened to the industry,' Schenck declared. It will probably result in better grosses, he figures, because there will be fewer adjustments to make with exhibs after they've played a picture. They'll know what they have in advance and will have no justification for asking for rebates.

'You usually get less for your pictures than you expect,' Schenck explained, 'because when you have a good one no exhibitor ever comes around and offers to pay an increased percentage. Yet, when he has a bad one, he wants an adjustment.'

Best-Seller Trailerizes Goodrich Into H'wood

Marcus Goodrich, whose adventure novel, 'Delilah,' published last week, has become an immediate best seller, not only will probably sell his book to films, but has been handed a studio job since its publication.

Goodrich has been added to David O. Selznick's writing staff. Studio story departments have shown considerable interest in the novel, which is being peddled by the Myron Selznick agency.

THEATRES DENY PRO-ASCAP BOOKINGS

Acting on a protest from Broadcast Music, Inc., the Comerford chain last week took exception to a story in VARIETY's Jan. 29 issue concerning arrangements the circuit had supposedly made to capitalize on the ASCAP-radio war by routing musical acts which would emphasize their use of songs not heard on the air.

While J. J. O'Leary, in charge of operation of the Comerford theatres, discussed the matter with Ed Kuykendall, president of the Motion Picture Theatre Owners of America, when he was in New York Friday (7), it is not officially any concern of the MPTOA except that as an exhib organization it has long opposed the ASCAP tax levied on film theatres. The Comerford chain is a member of the MPTOA but there the connection ends so far as the present controversy over any policies of the circuit are concerned. MPTOA never advised any of its members as to how they shall run their theatres.

O'Leary became concerned on receipt of protest from BMI. Latter organization wanted to know why the theatre owners were discriminating against BMI. O'Leary discaimed in VARIETY Saturday (8); any connection with a 'Hit Parade' idea which the Joe Feinberg Agency, vaude bookers for the Comerford chain had advised ASCAP publishers it was developing for Comerford. The agency in a letter dated Jan. 20 asked ASCAP publishers to give the idea their support and stated that Lou Handman had been designated to do the contacting of the publishers.

The complaint made by the broadcaster-controlled BMI recalls an argument advanced for years by radio's spokesmen that ASCAP has discriminated against broadcasting by progressively raising its rates and permitting theatre licensees to pay a progressively lower rate.

'Songwriters on Parade' With All-ASCAP Tunes

The ASCAP-radio battle will get its first prominent spotting on the stage of a theatre Friday (14), when 'Songwriters on Parade' (5) play a full-week for RKO in Dayton. Billing will emphasize that the songwriters will play and sing ASCAP compositions that cannot now be heard on the networks. Only two stations in Toledo are NBC and CBS-controlled.

Songwriters in the act, agented by the William Morris office, are Charles Tobias, J. Fred Coots, Peter DeRose, Jean Schwartz and Jack Lawrence. They are penciled in for Loew's State, N. Y., March 6, with the same billing to apply.

SECONDARY B.R. FOR ITS UNITS

UA Affiliate Will Finance 'Junior' Money to Its Producers, But Banks Will Be Relied on for First (Major) Financing

STOCK ON MARKET

With the probable departure of Samuel Goldwyn from United Artists, the company is preparing to launch on an entirely new financial policy in its relationship to the independent producers who release through it. It will completely reverse the stand it has taken almost consistently since it was founded in 1919 and embark on a program of aiding in the production financing of its brood.

Company itself will not participate in the money advancing, but will take part in the setting up of an independent financing company which will lend 'junior' or secondary money to the indies releasing through UA. Stock in the new company will be sold on the open market, according to present nebulous plans. It will probably be capitalized to the tune of $2,500,000 or better, some estimates going as high as $5,000,000.

How UA will participate in the new company hasn't yet been determined, as it is all still pretty much in the talk stage. UA may invest directly in the financial unit or UA stockholders may invest in it outside of the distributing company's own corporate setup. These details are now being discussed with producers on the Coast by a committee of three: Murray Silverstone, UA chieftain; Charles Schwartz, UA counsel; and Herbert Maass, representative of Mary Pickford on the UA board.

At least part of the coin back of the new financing organization may be put up by Alexander and Marc Berglas, German financial wizards now in Hollywood. Berglas brothers are said, last November, to have offered Silverstone sufficient coin to insure output of 18 to 20 pictures for 1941-42. They wanted to set up a unit in which UA would advance 50% of the capital and own a half interest. This plan, or a variation of it, is believed back of the present proposal.

Change of Policy

Although owners of the distribution company have always felt that it would be advantageous to stick to its prime function and lay off financing producers, operating heads of the company are now convinced that it is necessary to 'help the producers weather the storm,' as one exec of UA put it yesterday (Tuesday). Drastic steps must be taken, it is felt, to keep UA in a position assuring itself of class product. Number of producers are not taking too many pains to hide the fact that they can't go on unless given financial aid. UA must adopt a change of policy, it is said, if it wants product. Loss of foreign markets and disappointing domestic grosses on some recent films have hurt the producers.

New unit's part in financing producers, it was emphasized, will not be 'first money,' for which banks will still be depended upon, but the 'second' money. Producer having the latter, which will include a completion guarantee, has little trouble in getting bank financing of the remainder. Policy will be to steer the financing setup wide of footing entire production bill—it won't have enough money, in the first place—so that there is no danger of its becoming a producing unit.

UA once before set up a similar financing agency, Cinema Arts Finance Corp., when Joseph M. Schenck was president about 15 years ago. It went on the rocks, present UA execs say, because it failed to stick to its original intention and gradually became a producing unit. They aim to avoid duplicating the error. Outsiders as well as UA owners participated in financing of Cinema, the heaviest stockholder being Paramount, which put $2,000,000 into the venture to guarantee delivery of product to their rapidly expanding Publix group of theatres.

Closest UA has otherwise come in financing its producers is the case of Walter Wanger. It owns a 50% interest in Wanger's company, having put up half the original capital. Wanger was on his own after that, however, obtaining production financing.

Sam Goldwyn's Bow-Out From UA Develops a Kink Over His Stock But It Will Probably Go Through

Samuel Goldwyn and United Artists are paying peek-a-boo. Whether the producer-owner is still a producer-owner or a free agent able to exercise his wont to skip to the Warner Bros. fold is wrapped in doubt.

Situation, however, as informed sources see it, is that Goldwyn's departure is highly likely but isn't yet beyond the last barricade. It appears that an agreement was reached between Goldwyn, United Artists chief Murray Silverstone, UA counsel Charles Schwartz and at least part of the ownership, but didn't quite make the last hurdle. Alexander Korda is said to stand in the way of consummation of the deal worked out by operating heads of the company with Goldwyn. Their plan is understood to call for Goldwyn handing his stock, representing a one-fifth interest, back to the other four owners for $300,000 in cash. He would then be free to close a producing deal with another distributor.

Both daily and trade press were led into believing the deal had been closed last week when Goldwyn issued a statement 'jointly prepared' by his own and UA attorneys. The 'jointly prepared' was true; but the statement wasn't jointly released. It was prepared for future use—when the deal had been closed—and UA execs were considerably burned at Goldwyn jumping the gun by making it public.

Korda Balked

As it turned out they were right, for a snag developed. Korda is said to have refused to sign the agreement unless a fixed valuation was placed on his stock. Korda, it is reported, has some idea of demanding that the company also buy up his stock if the price is high enough, otherwise refusing to go along with the Goldwyn deal. There's much mystery about this aspect, too, however, although Korda does definitely appear to be the stumbling block.

Silverstone and Schwartz are now in Palm Springs, having gone there Friday (7) following the strain of concluding the Goldwyn details. James Mulvey, Goldwyn v.p. and western rep, and two attorneys from the office of George Z. Medalie, Goldwyn attorney, flew out to the Coast Thursday (6) night when it appeared everything was hotsy.

Stock to Whom?

What's going to become of the stock if Goldwyn does leave UA has become another popular industry guessing game. Silverstone himself, Walter Wanger, David O. Selznick and the Frank Capra-Robert Riskin unit are a few of the names mentioned as buying it. Best-informed sources believe that Silverstone has an ace in his shoe and will probably put out a topnotch producer whom to bestow the stock to restore to the company the prestige departing with Goldwyn. Selznick Capra-Riskin might well be the men on this basis. They could acquire the stock just as Korda did, handing over no cash for it, but paying out of their earnings.

That Goldwyn will go over to WB if he gets his freedom seems to be one of the clearest things in the whole muddled situation. There are several background reasons for thinking this:

Reasons

1. When Goldwyn tried to withdraw 'The Westerner' from UA release last spring, he handed it over to WB.

2. There has been considerable cooperation between WB and Goldwyn in trading stars. WB currently has Goldwyn's Gary Cooper for 'Sergeant Yorke,' while WB's Bette Davis is promised for Goldwyn's 'Little Foxes.'

3. Goldwyn and Harry and Jack Warner are close personal friends.

Caught Short

Hollywood, Feb. 11.

'Rookie on Parade,' slated to start this week at Republic, was postponed to Feb. 24 because of lack of new style army uniforms. Costume houses have plenty of the 1917 outfits but haven't caught up with the new war.

Currently Paramount is using most of the available new uniforms in 'Caught in the Draft.'

'NIGHT TRAIN' AN OBJECT LESSON

Hollywood, Feb. 11.

Understand 20th-Fox home office has sent out a strong letter to all district execs to view all pictures hereafter before bookings are made.

Order was due to the terrific business done by a sleeper from England, 'Night Train,' which went out cold to subsequents without first runs and meagre publicity.

NOT 'COINCIDENTAL'; WB SETTLES SHAW SUIT

Hollywood, Feb. 11.

Frank Shaw's $1,000,000 libel suit against Warner Bros. has been settled out of court, with terms undisclosed.

Former L. A. mayor charged 'The Men Who Dared' too closely paralleled his activities in office to be 'purely coincidental.'

Brit. Players in Warner Pix for Anglo Markets

Hollywood, Feb. 11.

New production plan at Warners, to fill the void caused by the war, is to cast two or three British name players in its forthcoming pictures to strengthen the studio's trade throughout the British Empire.

Idea is to feature English name players like Errol Flynn, Donald Crisp, Ida Lupino and others so that there are at least a few pictures in the season's program with a British accent.

20th-Fox Topping Its Tinter Output With 7

Hollywood, Feb. 11.

20th-Fox is releasing seven Technicolor pictures this year instead of six, as originally announced.

'Miami' is the added starter, which makes one more than the studio has ever made in one year.

Turbulent 1st Year of Arbitration Under the Consent Is Anticipated From Flock of Varied Complaints

A turbulent first year of arbitration under the consent decre is reported looked for by both the American Arbitration Association and distributors, with anything but smooth going visualized because of the complicated clearance structure as now existing, plus a probable flock of complaints that will arise over a miscellany of other matters. It is regarded as likely, moreover, that many exhibitors will file complaints over trivialities which, however, will require a lot of time to handle. Unfounded allegations are also expected to figure.

While the second year of arbitration may be exceedingly quiet and the third, as far as the trial period of the decree goes, will find complaints in a possible state of scarcity, it is believed the initial 12-month period over the 1941-42 product season might overtax the arbiter system that has been set up.

Clearance

This will be due, it is predicted, principally because of the clearance problem and the virtual certainty that in every exhibiting situation and in overlapping situations demands will be made for changes in clearance. What complicates and extends the problem is that when one exhib makes a complaint on clearance, another exhib is automatically affected. As many a half dozen other exhibs or theatres might be involved. This conceivably will cause a cycle of complaints on clearance.

When an exhib files a complaint on clearance, any other parties affected by the clearance or by any change that might be made under arbitration, are to be notified. As intervening parties, if they desire, that may sit in at the hearings. However, some of these intervening parties may themselves have complaints on clearance and that will mean still additional hearings with a new set of intervening exhibs figuring.

But when the whole clearance problem has been cleared in each particular situation or zone, the necessity for going over that again the second year of the decree is greatly lessened. Clearance complaints will always arise, however, since each year in the selling of pictures any troubles under it in negotiating deals are subject to arbitration if the exhib feels the distrib is making unfair demands. Or wants changes in protection.

With only one complaint so far filed in Washington, though arbitration offices were opened Feb. 1, around 40 inquiries have been received. Most of these are from exhibitors who feel they have a dispute on their hands and want to arbitrate but first are anxious to know exactly what steps to take. The AAA in such cases is forwarding copies of the consent decree itself and the various forms the exhib must sign.

Need No Lawyers

In New York the only inquiry received came from an exhib who wanted to know if he would need a lawyer. He was advised he wouldn't, that a simple statement of facts in his case was all that was required and that no 'whereases' had to be worried about. Any exhib may be represented by an attorney in making out the papers or at the hearing held but the AAA is stressing the lack of necessity for this expense in an effort to keep the cost of arbitration down to the point where the smallest exhib will feel free to avail himself of arbitration.

New York AAA to Handle B'klyn Also; 60 Arbitrators

It has been decided that one AAA board in New York, headed by Charles Wall and with hearing rooms in Radio City, would handle Brooklyn as well. At first a separate board was proposed for Brooklyn. As a result of only one tribunal for N. Y., Brooklyn and the surrounding territory served by New York-Brooklyn exchanges, a total of 60 arbitrators will be appointed to hear cases.

The full panel for New York will be set by next Tuesday (18), it is expected. Acceptances are now being obtained from names proposed in New York as well as elsewhere but before they are made final and certificates issued, all must be approved by Paul Felix Warburg, chairman of the film administrative committee in the AAA. By next Tuesday (18) it is expected that a minimum of 10 for all other local boards will be ready for announcement and service. AAA isn't being hurried since complaints aren't coming in.

For the official organ of the AAA, published periodically and in its next issue out Monday (17) to be entirely devoted to arbitration and the film industry under it, Austin C. Keough will present the distributor side while Abram F. Myers, general counsel of Allied States Assn., discusses the decree from the exhibitor viewpoint. Keough, general counsel for Paramount, was very active in all the negotiations leading to the settlement of the Government anti-trust case against that company and four others.

First Case Under Decree Brought by Balto Exhib

Baltimore, Feb. 11.

First plea for arbitration under the decree was filed in Washington last week by J. Purdon Wright, atty, representing Thomas D. Goldberg, pres. Walbrook Amus. Co., against 20th Century-Fox and Warners. Involved is the question of clearance and protection granted by these companies to Forest Park Theatre Co., and the Frank H. Durkee chain of local nabes.

Durkee, who operates the Forest, Ambassador and Gwynn theatres, located some two miles from Goldberg's Walbrook, has a seven-day clearance over the latter with Fox and Warner. Metro and Paramount, however, do not recognize this protection. Goldberg is appealing on this basis and is also pointing to opposition non-Durkee Pimlico and Avalon theatres, located a mile and a half away from the Durkee houses in the opposite direction, as free from similar clearance and protection. Ambassador, occasionally, but quite rarely, plays M-G product day-and-date with the Walbrook.

Goldberg's attorney, Wright, is the counsellor for the Maryland Public Service Commission. Frank H. Durkee, who heads the chain of 19 local nabes, is reported currently in Florida. Case is first plea for arbitration since the code went into effect Feb. 1.

Mpls. Not Beefing—Yet!

Minneapolis, Feb. 11.

Although independent exhibitors in this territory have been squawking for the past several years about 'unfair' zoning and protection and although two local exhibitors, the Middle States Corp., operating the 4,000-seat Minnesota theatre, and Bennie Berger, owner of the loop sure-seater Esquire, have announced their intentions to fight for major screen product through arbitration, nobody hereabouts seems in a hurry to make an issue of alleged grievances.

The arbitration office under the consent decree has been opened a full week and Sheldon M. Ostrott, in charge, says nary a complaint has been filed with him.

Loell Lolling in Detroit

Milwaukee, Feb. 11.

John L. Loell, of Detroit, who has been appointed head of the Milwaukee tribunal of the motion picture arbitration system set up by the recent consent decree, has opened offices here, but the first dispute has yet to come in.

However, he is being invited to appear before the Independent Theatre Owners Protective Association of Wisconsin and Upper Michigan to explain the procedure to be followed and as soon as its members are wised up, they say there probably will be plenty for the arbiter to go to work on.

No Complaints On Coast

Los Angeles, Feb. 11.

First week of American Arbitration Association readiness to receive complaints under the recently setup Government consent decree was marked by a complete zero as far as official squawks are concerned. Not a single case has been filed for arbitration and outlook is that Southern California theatre operators will

(Continued on page 16)

Studio Contracts

Hollywood, Feb. 11.

Darryl Hickman drew player contract at Metro.

Columbia picked up Harry Segall's writer option.

Metro pacted Eddie Parks, D. H. McKenney, Philip Menroli and Louis Previati, all of the music department.

William Ludwig inked writer ticket at Metro.

Wiard B. Ihnen and Edward J. Snyder signed by 20th-Fox as cameramen.

Charles Friedman drew one-year renewal as an associate producer at 20th-Fox.

Fred Finklehoff handed a new contract at Metro.

FLEISCHER'S 'MR. BUG' GOES INTO PRODUCTION

After more than a year of preparatory work actual production began Thursday (6) at the Max Fleischer (Paramount) studios on its new feature-length cartoon, 'Mr. Bug Goes to Town.' Neither fantasy nor fable, the story of the fight for life of a community of insects living 45 minutes from Broadway, surrounded entirely by the cement-and-steel world created by the menace they fear most—the human race—is the plot.

Based on the first original story ever written for a feature-length cartoon, 'Mr. Bug Goes to Town' will be produced entirely at Fleischer studio in Maine and will require the labor of 700 artists 10 months to complete.

Dave Fleischer declares that in his opinion the scope of the animated cartoon is unlimited. There is absolutely no reason why the animated cartoon cannot tell a solidly dramatic story of today just as well as any other medium of the motion picture field,' he said. 'The time has come to move from the era of 'novelty' to a mature basis in the industry. The story is what is important. Naturally in our feature we'll retain droll whimsy whenever a situation calls for it, but we won't strive for cuteness unless the scripts indicate such treatment.'

Music is by Hoagy Carmichael, lyrics by Frank Loesser. Gwenn Williams and Kenny Gardner will do the vocals.

Selznick's 'Jane Eyre' Assigned to Stevenson

Hollywood, Feb. 11.

Robert Stevenson, British director, gets the pilot assignment on the David O. Selznick production, 'Jane Eyre.'

Selznick has Stevenson under one-film-a-year contract and RKO has a claim on the rest of his services.

Odlum's (Atlas) Acquisition of 138,578 RKO Common Highlights SEC Report

Washington, Feb. 11.

Purchase of 138,578 shares of RKO $1 par common stock by Floyd C. Odlum's Atlas Corp. made the first major splash in film stock transactions recorded for 1941.

In its monthly summary of stock transactions, covering December activities, the Securities & Exchange Commission revealed today that Atlas Corp.—for 20 days, barring Sundays and Christmas Day—steadily increased its holdings, starting Dec. 7. Daily purchases ranged from 1,300 shares on Dec. 9 to 19,900 shares on Dec. 30, during the 20-day spending spree, bringing this company's total holdings to 732,896 by the end of 1940.

Other transactions in RKO $1 par common included sale of 600 shares by Frederick L. Ehrman, New York director, on Dec. 5, and dumping of 2,000 shares of the same by L. Lawrence Green, another Manhattan director, on Dec. 31. Score for holdings at the end of the year showed Ehrman with 200 shares and Green holding 2,250. Atlas was listed as holding 327,812 warrants for common, in addition to its large slug of actual stock.

Contrasted with RKO transactions was the rush to get rid of Keith Albee Orpheum—the sister company's —papers. Some 9,000 shares of Albee Orpheum 7% cumulative converted preferred stock, held in trust for the children of Michael J. Meehan, was disposed of, leaving 17,004 shares on Dec. 31. Malcolm Kingsberg, New York officer and director of the company, reduced his holdings to 490 shares by dropping 10 shares during the month, but picked up 10 shares of 7% cumulative preferred voting trust certificates to replace them.

Other film transactions which made December an active month in this type of securities included purchase of 100 shares of Loew's, Inc., common (no par value) by Al Lichtman, New York officer and director, and purchase of four shares $25 par common stock in Loew's Boston Theatres by the parent company. Lichtman retained the 100 shares at the end of the month while Loew's, Inc., was in possession of 117,787 shares of the Boston subsid.

A sellout in Trans Lux Corp. $1 par common was effected by Robert L. Gordon, who dropped 500 shares, while 200 shares of the same was acquired by Walter Siemers, Jamaica, N. Y., bringing Siemers' holdings to 1,200 shares. Purchase of 1,000 shares 20th Century-Fox Film no par value common stock by prexy Sidney R. Kent wound up the parade, leaving Kent with 3,180 shares with which to start the New Year.

Selznick Agcy. Keeps London Office Open

Hollywood, Feb. 11.

London office is being kept open by Myron Selznick despite conditions abroad, it is announced by Harry Ham, who headed branch there and who has just arrived in Hollywood. During his absence London agency will be in charge of David Henley.

Keeping offices going is justified, Ham states, due to continued picture production which Nazi air raids and other war obstacles have failed to halt. Ham states that the English film field is still proving a good provider of writing and acting talent, both for production in that country and for Hollywood.

DISNEY'S 4-MONTH NET, $140,000; 3 MORE DUE

Hollywood, Feb. 11.

Net profit of $140,000, without deducting income taxes, was announced by Walt Disney Productions for the first four months of the present fiscal year. Officers for the coming year are Walt Disney, president; Roy O. Disney, executive vice president; Gunther R. Lessing, vice president; George E. Morris, secretary-treasurer, and Oliver B. Johnston, assistant secretary-treasurer.

Program calls for the release of three more features, 'The Reluctant Dragon,' 'Dumbo, the Flying Elephant' and 'Bambi' during the current calendar year.

OK FOR SMORGASBORD

King of Sweden Approves Paul O'Brien for UA-Svensk Subsid

Paul O'Brien, of the law firm of O'Brien, Driscoll & Raftery, was notified last week that the King of Sweden has approved him as a director of United Artists' Swedish subsid, United Artists Aktiebolag.

King's okay is needed on all directors of Swedish companies, it was discovered after O'Brien's name was submitted. Considerable red tape was required, working through consulates, before approval was given.

HATHAWAY'S WANGER PIC

Hollywood, Feb. 11.

Henry Hathaway has been signed by Walter Wanger to direct Barre Lydon's 'Sundown.'

Yarn was serialized in the Saturday Evening Post.

G. B. SHAW'S SCREEN ORIGINAL FOR PASCAL

George Bernard Shaw, who a few years ago wouldn't even look at a film, is now writing an original story for the screen, according to Gabriel Pascal, who has an exclusive arrangement for production of Shaw films.

He refuses to reveal the nature of the original except that it is located 'near Panama.'

K.O. 'Nazi Spy' Libel Suit

Katherine Moog's libel action against Warner Bros. Pictures, Inc., was tossed out after trial by a N. Y. federal court jury in less than three minutes of deliberation on Monday (10). Suit had sought damages of $75,000 and claimed 'Confessions of a Nazy Spy' misrepresented her.

Plaintiff had charged that the part played by Lya Lys in the film was meant to represent her. Case was tried for three days before Judge Matthew T. Abruzzo.

Filibuster the Footage

Hollywood, Feb. 11.

S. Sylvan Simon gets the director chore on 'Washington Melodrama,' slated to start this week at Metro under Edgar Selwyn's production guidance.

Story, by L. Du Rocher Macpherson, is being screenplayed by Marion Parsonnet.

N.Y. Judge Follows European Verdict In Dismissing 'Stowaway' Theft Suit

An important ruling by Justice Peter Schmuck in N. Y. supreme court on the plagiarism claim of Stephen Tamas, Hungarian author, against 20th Century-Fox, over 'Stowaway,' establishes that American courts are inclined to follow foreign court ruling on copyright cases. In other words, although this has been a highly disputable point in similar actions previously, whether involving literary, scenario or song infringement claims, the Schmuck ruling is inclined to 'res adjudicata,' meaning that if the Budapest Royal Court ruled against its own citizen, Tamas, why should the U. S. courts rule differently?

Tamas, now in America, set forth that his 'Stowaway' script was ordered by John Mock, former British literati rep for 20th-Fox in London when he visited Budapest. Tamas' yarn was copyrighted in Yugoslavia, where it was published in book form following its first magazine serialization in Hungary. Titles were the same, situations allegedly ditto. Samuel G. Engel is the accredited author of the Shirley Temple starrer as made by 20th in Hollywood.

Tamas set forth the story was ordered by Mock for a Temple subject, but he lost in both the lower court and the Royal Hungarian Court of Appeals. It so happened that Julian T. Abeles, who successfully defended 20th-Fox on this copyright issue, knew that Rustem Vanbery was in America, lecturing on law under Rockefeller Institute auspices. He's an ex-judge of the Royal Budapest Court of Appeals and a Regent of Hungary, and he was a witness for 20th in the evidence that no similarities existed, that there was no plagiarism, etc.

An important point that comes out in Justice Schmuck's opinion, one that will bother many a foreign author, composer, dramatist and his producer, publisher and attorneys, is that 'simultaneous publication' in America is necessary for any foreign copyright. Otherwise it's to be considered as being in the public domain. It's no secret that U. S. publishers and copyright owners rush copies to England and Europe these days to get 'simultaneous' copyright abroad, for the reason that otherwise their works might be ruled outside the pale of common law protection. court also ruled the only similarity between the picture and the story were the titles of each, and their appropriateness as a medium for Shirley Temple.

HOW TO DIVVY $12,900,000?

H'wood Spending Spree for B'way Plays Capped by Par's $285,000 For 'Lady in Dark'; 'Arsenic,' 'Joey' Sold

Paramount's purchase of 'Lady in the Dark' on Monday (10) completed a week that made history in quantity of coin passed over by Hollywood for Broadway legiters. Sold at $285,000, record figure for a play, it marked the third high-priced legit property to go to Hollywood in seven days. Others were 'Arsenic and Old Lace,' for which Warner Bros. paid $175,000 plus a percentage, and 'Pal Joey,' which Columbia took for $75,000 plus a percentage.

'Lady in the Dark' buy was the first this season by a company which owns a chunk of the legit production. Par holds a one-third interest in the Gertrude Lawrence starrer, which works out under Dramatist Guild rules to rebate to it approximately $21,500 of the $285,000 it has agreed to pay. It's actual cost to the company will be reduced, too, of course, by its weekly income from the operating profit.

Contract contains no mention of the earliest date on which Par can release the picture version of 'Lady,' but the company's not counting on it sooner than two years from now. It figures the show will run at least that long on Broadway and the road and, inasmuch as it owns a piece, it will naturally not be anxious to cut the legiter short by releasing the film.

Manner in which Par's percentage of screen rights works out under Guild rules is that 'management' gets 40% of coin from sale of rights. Of this, 'money' gets 25% (usually 20%, but inasmuch as the other money, Moss Hart and Sam Harris, are also in on the writer and Manager shares, Par got a better break). And Par put up approximately one-third of the coin, so it gets approximately one-third of the 25%, actually 7.5%. Seven-and-one-half percent of $285,000 is $21,375.'

Record legit price previously was the $255,000 paid by RKO for 'Room Service,' with $250,000 the same studio's Max Gordon-Harry Goetz unit paid for 'American Way' the runner-up. Par also recently set a record high on the purchase of a novel, Ernest Hemingway's 'For Whom the Bell Tolls,' for which it handed over $100,000, but will hit $150,000 on a sliding percentage deal on the gross book sales.

Sliding Deal for 'Pal Joey'

Col's deal on 'Pal Joey' calls for the services of George Abbott, the producer, and John O'Hara, the author. Abbott will repeat his role on the film version, while O'Hara will work on the adaptation. Last season Abbott similarly sold his 'Too Many Girls' to RKO and produced it for the studio during the summer. He's in Florida now and is not expected to begin work on the film before late spring.

Total amount involved in the 'Joey' pact is understood to be around $200,000, of which approximately $75,000 was a down payment, the rest to be handed over out of the film's income. 'Joey' originated as a series of articles in the form of letters in The New Yorker mag, later becoming O'Hara's first try at playwrighting. Richard Rodgers and Lorenz Hart did the music. Vivienne Segal, Gene Kelly and June Havoc are featured. It's in its eighth week at the Barrymore theatre.

Warner's deal on 'Arsenic' called for $175,000, bulk of which is to be paid when film goes into production, plus 15% of net profit when gross exceeds $1,250,000. At least a two-year wait is anticipated on this, just as with 'Lady,' before production can be started. 'Arsenic' stars Boris Karloff, was written by Joseph Kesselring and is now in its fifth week at the Fulton. It was produced by Howard Lindsay and Russel Crouse, with 21 backers who have by now become the subject of considerable Broadway humor.

Dembow Back at Desk

Sam Dembow, Jr., Paramount theatre department executive who suffered a broken leg early in December when a taxi struck him in New York, returned to his desk Monday (10). He is in charge of home office contacting on operating and film buying matters for Par partners in the northern tier of states.

Leonard Goldenson, with whom Dembow made numerous trips into the territory last year, left Thursday (6) for Jacksonville and Miami.

UNION B'CASTS FILM GROSSES

Detroit, Feb. 11.

Statistics culled from VARIETY are hitting the air here and the United Detroit Theatres (Paramount) as Ray Carroll, head of the Building Employees local, carries his fight for a union contract into homes.

He has been going on the air from 6:55 to 7 p.m. over WMBC using the VARIETY statistics to bolster his contention that the picketing of houses of U.D. in downtown Detroit is cutting down business. One night last week he told the story of 'Philadelphia Story,' citing the figures in New York, Pittsburgh, Philadelphia and Chicago as compared to the grosses of the picture at the United Artists here to show the public was laying off from attendance. He quoted Detroit as being about half of what it should be.

Carroll also is tossing plenty of other figures out, citing profits of the chain in Detroit and the salaries of its officials as contrasted as the union's request for a 48-hour week, $5-a-day for the theatre maintainance men. While the union has pulled no men out of the houses it has pickets patrolling in front of the Michigan, United Artists, Palms-State and U.D. nabes as well as the Adams in the downtown sector, leaving only the Fox clear.

Premise for his present campaign is the fact that Detroit has grown into a strong union town with the weighty automobile unions—now big enough to swing around the local elections—and if he can sketch out the lowly wage of the maintenance men and impress listeners that others aren't passing the pickets even if no strike has been called he can whittle down biz plenty.

'GONE' ALSO GOES FOR $1,000 IN STICKUP

Sharon, Pa., Feb. 11.

'Gone With the Wind,' playing at the Columbia also refers to $1,000 in receipts which bandits took last week. Two armed bandits toted off the cash box at 8:30 p.m. after holding up an usher who was carrying it from the boxoffice to the office of Pat Nataro, manager.

The holdup was staged so fast that several persons, including Nataro and Joseph Fordham, district representative of Warner Bros., who were walking in the lobby toward the usher, had no opportunity to nab the bandits.

$400 Stolen

Uhrichsville, O., Feb. 11.

Yeggs cracked a safe in the office of the State last week and obtained weekend receipts totaling between $400 and $500, manager Alves Veach told police.

ARBITRATION ON BRITISH REVENUE

Release of Frozen Money Creates Allocation Problem — Columbia U. Prof Called In As Arbiter

METRO'S STANCE

For the first known time, the picture business this week is resorting to arbitration before an outside arbiter in deciding allocation of the $12,900,000 expected from Great Britain in the year ending next Oct. 31. Previously the eight major companies have been able to arrive at a split on such bulked coin from countries having a frozen money policy through discussion and action within the Motion Picture Producers & Distribution Assn.

Sole arbiter designated is Milton Handler, a Columbia University professor and attorney. Arbitration hearings began this week and a decision, which is to be final, is expected by the end of this month. Metro is credited with being the chief objector to allocating the British coin, according to percentages employed in the past 12-month period ending last Oct. 31, but other large majors feel that a splitup according to the amount of money available for remittance is more equitable than that based on a previous three-year average.

Metro and all signators of frozen coin pact, finished last Dec. 27, are completely satisfied with the agreement as far as the British government goes. Present arbitration is to decide on how the removable $12,000,000 is to be allocated among the eight majors. Temporary percentages were put in effect covering the first 13 weeks but it is understood that the arbitrated allocation agreement will apply from then on.

$4,837,500 in 13 Weeks

During the first 13 weeks, which ended early this month, American major distributors were allowed $4,037,500 out of the British Isles. Coin from operations in November and December already has been received in U. S., but division, according to temporary percentage, will not be made until the conclusion of the first 13 weeks starting last Nov. 1, agreement with the British government being that 37½% of full year's total is remittable in this period. A like amount is remitable in the second 13 weeks, with remaining 25% for shipment to U. S. in the last six months of the agreement which ends next Oct. 31.

Main contention of the larger companies in pleas before the arbiter are expected to be briefly: 'We worked hard during the past year and we are entitled to get out our share of this coin.' During the operation of the first frozen coin pact with Britain, each company had certain bank drafts, bank loans and forward contracts, and were willing to go along. Metro is most voluble now in protesting against any involved percentage method as being unscientific.

As with other larger companies, it is understood, that Metro figures its percentage of the total should be predicated on volume of business done (hence the amount available for remittance) during operation of the pact. Also that if the same method used in the first year coin agreement is employed, the larger companies having big volume of current business would have large blocks of money frozen in Great Britain while smaller companies might conceivably have minor amounts or no money frozen in England.

'If earned' clause in contract is expected to figure prominently in arbitration proceedings.

Despite Much Bad Weather and Flu, January Grosses Up, and Predicted 1941 First Quarter Will Be Strong

In spite of the bad weather and a lot of flu throughout the country, January grosses have showed good improvement average and, with defense as an encouraging factor, it is predicted that the first quarter of 1941 (January, February, March) will be away ahead of the same three months last year. Among other things, pointed to are businees indices which indicate a strong upward trend.

While operators report that January receipts were on the incline, with boxoffice showing better strength generally in money figures a comparison with January, 1940, is difficult because 'Gone With the Wind' was getting wide circulation at that time last year. However, picture on general release started getting into various scattered first-run dates toward the end of the past month.

The first week of January was excellent, it is claimed, while the second was off a bit. Third and fourth were sucessively strong, however, and with the quality of product coming, it is believed both February and March will far outdistance any month during 1940, also topping this January. Big improvement for creation of a much better national average is looked for, especially in industrial areas.

Both holiday weeks (Christmas-New Year's) were substantially better than a year ago, and for the four weeks from Dec. 15, 1940 to Jan. 15, embracing both of the holidays, the take was well over the corresponding period 12 months prior. This is also hailed as a healthy indication.

East's Brutal Weather

New York and other eastern areas are among those that have been hard hit by bad snowstorms and rain. In some parts of the country a difference isn't created because they are always affected by snow, cold, etc., such as the northwest but this year the midwest, for instace, set new records on tough weather. Additionally, widespread cases of flu, pneumonia and other illnesses have held down a January take that would have been even more inspiring. The Friday (7) all-day cloudburst in New York hit the b.o.'s brutally, operators report.

Claim in some showmen quarters that industry is actually better now than in 1929 would seem to be borne out by the business index of the N.Y. Times which slipped below an estimated normal on biz activity in 1940 through which the plunge started in 1930 after the crash, but since September last has steadily climbed. Based on steel output, cotton mill activity, carloadings, lumber production, automobile activity, etc., the N.Y. Times index shows that business has actually passed the high of 1929.

Unemployment is also down, the latest available figures indicating that no more than around 5,000,000 are now off payrolls. During 1940 statistics show that placement of workers, including in public employment, gained 9%.

All in Day's Work

Hollywood, Feb. 11.

Mahomet came to the mountain because he couldn't move it, but the boys at Warners not only move it but put it on a turning table for 16 shots. The mountain is required in 'Sergeant York,' with various shades of day and night lighting.

John Hughes, art director, has evolved a revolving table, 35 feet in diameter, which turns the mountain to meet the diverging lighting effects. Construction job required a crew of 75 workmen in three shifts for 10 days.

ZANE GREY TO TAKE ENCORES

Hollywood, Feb. 11.

All remakes of Zane Grey properties which it owns are being prepared by 20th-Fox following reception of the novelist's 'Western Union.'

Among makeovers will be 'Last of Duanes,' which was done four times as a silent, and 'Riders of Purple Sage,' a three-timer.

LUBITSCH DUE EAST FOR 'FEELING' PREEM

Ernst Lubitsch, who just wound up work on 'That Uncertain Feeling,' is expected east in about four weeks to search for a story for his next film. He'll also remain for the preem of 'Feeling.' It is set for the Radio City Music Hall around March 27.

Producer hopes to get his next production before the cameras by July 1. His partner in a United Artists release, Sol Lesser, is working on the script of 'Strange Victory,' which he expects to get into production around March 1. It will be released on the current season's slate.

Lou Hyman, exec assistant to Lesser-Lubitsch, arrived in New York last week with the print of 'Feeling.'

Morosco's Ex Charges 'Brat' Lifted by 20th

Los Angeles, Feb. 11.

Helen Mitchell Lawson, former wife of Oliver Morosco, stage producer, filed a damage suit against 20th-Fox, Jane Withers, Sol Wurtzel and others, charging that the plot of the stage play, 'The Brat,' was used without her consent.

Complaint states that 20th-Fox used the theme and dialog of 'The Brat' for the picture, 'The Girl From Avenue A.' Action asserts that 20th-Fox will receive approximately $250,000 for distribution of the picture, and asks an accounting and an injunction to prevent further exhibitions.

Fessier's 3-Ply Trek

Michael Fessier, screen writer, who has been east for some time, left New York for the Coast last week to confab on sale of one of his story properties, huddle on a possible studio job and to help prepare for the opening of a play he has written.

Play is 'The Three in the Forest,' which Eddie Dowling will produce. It will preem either in Los Angeles or San Francisco in about eight weeks.

FAVOR HOLLYWOOD FOR MPTOA SPRING CONV.

Hollywood is favored as the site of a convention of the Motion Picture Theatre Owners of America some time this spring or early summer but no plans were set when Ed Kuydendall, president, was in New York Friday (7). MPTOA prez left early Saturday morning (8) for Columbus, Miss., from which point he will probably contact association directors on the matter.

MPTOA is anxious to hold a national powwow this year to discuss the new system of buying that will prevail on the 1941-42 product and to mastermind other matters of a general nature. There was no convention last year.

Spotting 'A' Film at 9-9:30 P.M. Seems To Be an Aid to the B.O. in N.Y.-N.J. Area; Experiment Being Extended

A superficial study of the policy of spotting No. 1 features on duals at 9 or 9:30 at night for the final showing would indicate that theatres are taking a step in the right direction, but results at the boxoffice are vague at this early date except so far as a couple of RKO operations are concerned, and in New Jersey where Warners have around 30 houses in the policy. Meantime, on all sides favorable comments are being received from patrons who, it is added by operators, will have to be educated to the new policy before any definite check can be obtained.

A few scattered RKO theatres have been testing the switch on scheduling of duals for a sufficient number of weeks to indicate that increased revenue is resulting, together with development of good will, especially among the single-feature fans. It would appear on cursory study of the situation that business is up between 6 and 9, but less from there on than it was previously. However, the total attendance from 6 p.m. to closing has increased through a heavier business up to 9 as a counteractant of the dip from thereon.

Jersey Experiment

Warners, which may extend the 9 p.m. policy further, installed it some time ago in the Oranges in New Jersey, where it operates nine houses in duals. Don Jacocks, zone manager in the territory, who was responsible for initiating the change in scheduling subsequently has spread it around 30 houses. In a few spots where tried it has been found impractical, largely in downtown business districts. Policy of main pictures at 9 or 9:30 seems to be working out best, with increased revenue reported, in the suburban areas. Experience of Warners is that night business has gone up in volume.

Warners is testing another policy in two New Jersey towns, East Orange and Montclair, where the secondary feature has been replaced by approximately an hour of newsreels. It is working out satisfactorily in the two houses under experiment and this policy may be extended.

Loew's adopted the 9 o'clock main-feature showings in 31 houses last Thursday (6). Thus the first week of the policy will not finish until tonight (Wed.) but in probably three weeks C. C. Moskowitz, executive Loew operator, believes the circuit will have a fairly good line on the situation. By that time Loew's may move the same policy into additional Greater New York houses and also into theatres out-of-town where double bills are played.

Contending that basically the 9 o'clock plan is a sound policy, Moskowitz adds for the benefit of the single-feature devotees, 'Why make it difficult for people to see a popular entertainment?' He also noted the importance to educate the public to the new policy.

RKO has found, so far, that certain patrons come to their theatres already in the 9 p.m. policy as late as 10 expecting to see the top feature, not knowing that the time has been moved down. They have not gone in in such cases but comment most often has been favorable as regards the change in policy, such patrons adding they'll come next time at 9 o'clock.

33 RKO Houses

Originally taking the initiative in New York in revising evening schedules that top features on twin bills would go on at 9 or 9:30, the RKO circuit today (Wed.) moves numerous additional houses into the policy for a total of 33 in the Greater N. Y. area.

The theatres are divided into two groups. One will throw the No. 1 picture on at 9 p.m. sharp, while the scheduling for the others will be at 9:30, with the second feature in each case to close up the house. In addition to New York and Brooklyn houses, five on Long Island and two in Westchester are affected.

RKO originally singled out the 86th St., N. Y., as an experimental station in which to test the value of the best film at the more convenient evening hours, results in business here encouraging the spread of the policy.

Understood that as far back as 1936 one of RKO's leading division managers and a veteran showman from the old vaudeville days, Charles McDonald, recommended putting on the No. 1 features at 9 o'clock. Circuit did not act on it at that time but all along McDonald has strongly favored the policy.

It is believed that top features at better hours will become standard throughout the country, although in many situations theatres do not keep open as late as in N. Y. and thus people are out before midnight even if sitting through two films. Plan, however, is being studied by chains and exhibs over wide areas, it is understood, with a possible view to increasing revenue through further encouragement of the single feature fans.

Coast's Been Doing It For Years With Good Results

Los Angeles, Feb. 11.

Screening the A feature around 9 o'clock at night, the normal peak hour in many theatres, is nothing new in this area. Plan has been worked more or less for past several years to excellent results.

Frequent tagging of prints here between two and three houses often results in the picture being shown at one or two houses first in the evening, but the other house benefits and gets the outstanding film to wind up its first show of the evening.

In houses where the B picture ordinarily is screened first, it is rarely ever necessary to run it in full the second time as theatres are mostly emptied long before the final picture of the evening is totally run off.

In the local first runs, where shows are continuous, time of A feature at the night showings depends largely on the schedule. Attempt is made to run the A or 'draw' feature so that it hits the night peak crowd, but this schedule is not always possible.

Experience hereabouts is that normal peak hour is around 8 o'clock, with bulk of patronage in by 9. There are, of course, exceptions to this, as in the case of giveaway nights when houses usually are packed as early as 7:30. Also on Saturday nights when owl shows are given in most of the city houses, with a late draw for these performances.

In Chicago the Main Idea Is to Plug the Giveaways

Chicago, Feb. 11.

Chicago exhibitors have taken cognizance of but have not placed too much individual importance upon the experiments of eastern circuits regarding the spotting of the top feature on a dual bill at the 'better' hour at 9-9:30 p. m. That is due primarily to the fact that the local exhibitors are too interested in giving away money, dishes, china, stockings, books to pay any attention to their pictures.

They feel that it may work out all right in the east when the key theatres are giving genuine advertising space to tell their patrons about the time spotting, but that in Chicago this space is more valuable to tell about the special free gifts.

After all, contend the general exhibitors, as Balaban & Katz goes so goes the town, and B&K at this time is leading the procession with detail advertising of their giveaways at each nabe theatre and are not stressing any particular time performance for the pictures. When and if any one picture is pointed up by B&K for special mention, the other theatres will follow suit.

Other exhibitors feel that to state that their top picture starts at such-and-such a time would only emphasize the demerits of the second feature, and would stress too much the disparity of quality between the two pictures, and this disparity is something they want always to ignore.

9-9:30 Sked for 'A' Pic Not As Easy As It Sounds

St. Louis, Feb. 11.

Clarence Kalmann, head of the Kalmann string of North St. Louis nabes, observes that the mechanics of the business prevent the skedding of the A feature, of a dual bill, at the same hour every night. 'St. Louis is a two-feature town,' Kalmann said, 'and with the features running for varying lengths of time it would be impossible to advertise a certain hour for their showing. Another thing that must be taken into consideration is the class of our patrons.

'Some leave the dishes unwashed in order to get to the first show at 7 o'clock. The shows generally run two hours and this enables the early customers to get home in time to wash the dishes and get to bed early. Then we have those who work downtown and can't get home, have their evening meal and get to the theatre in time for the first show. These patrons take their time, reach the theatre between 8:30 and 9 o'clock and take their time about getting home. It is not what we would like but what we are compelled to do that makes the situation so uncertain. If all feature pictures were of the same length we might be able to work out a plan whereby the A picture could be shown at a certain time. Until that happy medium is reached we just can't do it.'

Fred Wehrenberg, prez of the MPTOA of Eastern Missouri and Southern Illinois, and owner of a string of nabes in South St. Louis and St. Louis County, said his houses have been following a policy of showing the A feature twice and the B talent once each evening. 'We have found from experience that the larger percentage of our customers want to see only the No. 1 pic. They come to our box offices, inquire when the A pic is scheduled to be shown and either wait in the lobby or go away and come back as it begins. By screening the A picture between 8 and 9:30 p.m. we have found that the b.o. take is better.

'When the A feature is of considerably greater length than the average we move up our opening time, advertise the fact and the customers are not disappointed.'

Louis Ansell, of the Ansell Bros. circuit, another indie chain, said the current policy is to show the A feature at 7 p.m. and again around 10 p.m. He said he is acquainted with the move to arrange the pic sked so as to show the A feature around 9 p.m. and that policy is being studied. 'If the first-run houses arrange such a sked,' Ansell said, 'we probably will fall in line. But we are handicapped by the varying length of some of the features that make it impossible to run a big feature at the same hour for each program. If we were to arrange such a schedule at present our shows would run into overtime and with the wage scale union labor is getting it would not be profitable. We want to accommodate our patrons and if there is a strong demand for the A feature showing between 9 and 9:30 p.m. we probably will accommodate the demand.'

Withers' 27th Pic Initials New Contract With 20th

Hollywood, Feb. 11.

Jane Withers drew a new seven-year contract at 20th-Fox, effective next December when her current pact expires, Moppet has made 26 pictures since she signed her first ticket in 1934.

Currently working in 'Her First Beau,' at Columbia, actress is slated to return to the home lot in 'Coast to Coast,' a musical.

Theatre Collections, Benefit Shows Planned For Greek War Relief

Setting up numerous committees, the amusement industry division of the Greek War Relief Assn. of which Adolph Zukor is chairman, plans a drive in the theatres of the country the final week of March. The plan is to enroll all the exhibitors of the nation for collection of donations in the lobbies much in the same manner as the March of Dimes campaign was handled.

A series of midnight shows for the benefit of the Greek War Relief are also on the agenda, with regular shows to be given in some cases and special pictures booked in others. At these midnight shows stage attractions may also be arranged for.

Another objective is a Night of Stars type of show in four or five large cities, including New York, where it will probably be the Madison Sq. Garden, if plans carry.

The country is being split into 12 divisions, with a chairman for each representing exhibition and distribution. Under these in each of the 31 exchange centers co-hairman will serve for both the exhibiting and selling branches. There will be two co-chairmen in most cases, but three in some.

Schine Puts Each Rochester Mgr. On His Own; Exchange-Theatre Briefs

Schines' New Setup

Rochester, N. Y., Feb. 11.

Shift in Schine policy eliminates city manager and puts each house manager on his own under supervision of Frank Boucher, zone manager. In accompanying shakeup former city manager Bud Silverman becomes manager of the Madison, and Harry Stern comes from Kentucky as manager of the Riviera, replacing Louis Levitch, transferred to the Granada, Buffalo.

Sol Shafer, long a power in the Schine Rochester organization and lately manager of the Liberty, has gone to Florida for three months' vacation. Pop Geer moves from Lockport to replace. Manager Clayton Cornell, State, transferred to Tupper Lake with Alden Allen, assistant, Monroe, taking charge of the State. Manager Hy Gordon, Cameo, goes to Amsterdam, and Ben Cole, man moves in from Tupper Lake. Bob Meagher, advertising assistant, and Marguerite Trickey, city manager's secrctary, join Seymour Dist. Corp. Schines operate 12 theatres in Rochester area.

George Cameron, manager Schine's Strand, Seneca Falls, shifted to Paramount, Glens Falls, and Bradley Bodenstein, Andrews, Salamanca, replaces.

Village of Clifton Springs is without film entertainment for first time in several years with closing of Palace theatre in litigation over sound equipment. Manager Nickolas Raffay said his attorney advised shuttering until settlement of dispute with RCA. He said equipment was installed under weekly payment contract and a number of payments were missed by former lessee. Present management seeks adjustment of amount claimed due.

Rick' Ricketson Reelected

Denver, Feb. 11.

Frank H. (Rick) Ricketson, Jr., president and general manager of Fox Intermountain Theatres, was re-elected president of the Rocky Mountain Screen Club. Other officers named include Joe H. Ashby, Robert Hill, vice-presidents; Henry A. Friedel, treasurer; Ross Bluck, secretary; and Albert J. Gould, Jr., counsel. Directors include these officers and William Agren, A. P. Archer, Buzz Briggs, Duke Dunbar, Jack Langan, Jap Morgan, Dr. John Zarit and S. J. Garland. The executive committee includes Ricketson, Ashby, Hill, Friedel, Bluck, R. J. Morrison and Mickey Gross.

John H. Bock, 33, booker for Columbia pictures, died at a Denver hospital following influenza and complications.

Arthur Bratton now operating the Ovid theatre, Ovid, Colo., having leased same from the former manager, H. H. Homer.

The consent decree, arbitration and war relief were the principal topics under discussion at a special meeting of directors of the Gibraltar Enterprises, held at their Denver headquarters. Attending were C. R. Gilmour, E. J. Schulte, W. H. Ostenberg, E. John Greer, E. W. Ward, T. F. Murphy and Everett Cole.

Over 1,000 candy bars, valued at $30, was the loot when the Santa Fe theatre here broken into.

Fox Intermountain Theatres are spending $20,000 on the Rialto at Walsenburg, Colo., doing a new front, new seats and a general working over.

Russell in Louisville

Louisville, Feb. 11.

Gene Russell, formerly with the Paramount exchange in Nashville, has assumed his new post as assistant manager at the Mary Anderson, Libson house on Fourth avenue. Will act as aid to Clifford Buechel, who looks after the Libson interests locally.

Long Adds Trio

Freeport, Texas, Feb. 11.

The Port, Ora and Freeport theatres owned and operated here by M. N. Busse and the Carl Mlitz interests, have sold the houses to the J. G. Long circuit.

Jack Keegan Set

Detroit, Feb. 11.

For many years with Warners and most recently district manager of Warner theatres in Milwaukee, Jack Keegan will become head of film buying for Universal Theatres chain here starting Feb. 14. He was assigned to the post by Earl J. Hudson, head of U.D.

Stokes' 13 Houses

Corpus Christi, Texas, Feb. 11.

Sam Stokes, formerly manager of three McAlester (Okla.) houses, takes over managerial duties here of a chain of 13 houses in and about the city with headquarters in this city.

Fellerman Heads Big U Club

Harry Fellerman, a salesman, was elected prez of the Big U Club, organization of Universal exchange employees in New York, on Saturday (8). Others chosen were Fred Mayer, accessories manager, v.p.; James Davidson, bookkeeper, treasurer; Rose Youngfield, a secretary, secretary; and Tom Goff, assistant bookkeeper, sergeant-at-arms.

They will be inducted into office at a party at the exchange on Friday (14) evening.

McBride to Boston

Providence, Feb. 11.

Ed McBride, manager of Loew's State, transferring to similar post at State, Boston, Wednesday (12). Jack Simons, manager of Loew's, Hartford, taking over McBride's post here.

Leigh's Schine Spot

Syracuse, Feb. 11.

Stockton Leigh, of New York, new manager of RKO-Schine Keith's. Formerly with Walter Reade and Warner houses in New Jersey.

R.A. ROWLAND'S UA KEY COVERAGE WITH 'BISHOP'

Tour of virtually all United Artists exchanges is being made by Richard A. Rowland, producer of 'Cheers for Miss Bishop,' which UA is distributing. He's appearing at press screenings of the film—and otherwise aiding UA exploiters in gaining publicity space for the picture.

Rowland started Jan. 27 and will wind up the tour Feb. 17 in New Orleans, after which he'll return to the Coast. He'll skip only Denver and Salt Lake City exchanges.

20th's 'Tobacco Road' Gag Intrigues Film Buyers

Theatre operators and buyers who deal with 20th-Fox have been invited to try to guess the number of persons who will attend 'Tobacco Road' on its opening day at the Roxy, N. Y., Thursday (20). The man coming closest to actual attendance clocked on that day will receive a 21-jewel watch.

As a guide for the guessers, 20th is furnishing attendance figures chalked up on opening days by various pictures that have played the N. Y. Roxy.

Buyers-operators are going for the gag, sending in their estimates of what 'Tobacco' will do, in terms of patronage, on the first day.

20th Names Gabe Yorke Western Div. Exploiteer

Gabe Yorke was named western division promotion manager for 20th-Fox this week by Charles E. McCarthy, ad-publicity director. Yorke will headquarter in Los Angeles to supervise promotion work in collaboration with exhibitors showing 20th-Fox product. He's presently on a visit in N.Y.

Yorke was publicity chief for Fox-West Coast theatres and after that ad manager for Fox Film Corp. He left in 1935 and subsequently became Paramount ad-publicity director on the Coast. In 1937 he went with the Hays organization on the Coast as head of the Advertising Advisory council.

Tommy Guns Will Bark

Hollywood, Feb. 11.

Gladys George and Barton MacLane get the top spots in 'Hit the Road,' scheduled to roll Feb. 17 at Universal with Joe May directing.

Story deals with the St. Valentine's Day mass gangster slaying in Chicago.

Plan 'Eve' Blowout

Paramount is framing a huge 'Garden of Eve' premiere cocktail party in New York for 'Lady Eve' to be held in the next few weeks. Feature is set for release early in March.

Astoria, L. I., studios, or a comparably large auditorium with 3,000 or more capacity, is being mulled by the publicity forces for the shindig.

Clark's Par Creeper

Hollywood, Feb. 11.

Paramount signed Colbert Clark as an associate producer, with 'Among the Living' as his first assignment.

Picture, featuring Albert Dekker, is based on a horror tale.

Stage Shows Again Rescue Chi; 'Mothers'-Andrews-Krupa 45G, 'Suez'-Vaude 22G, H.O.s Strong

Chicago, Feb. 11.

Snow and sleet over the week-end clipped the wings of the box-offices somewhat, but those houses with sufficiently strong product plowed through successfully despite the drag of the weather.

Again stage attractions came to the fore to lift up the front gate. There is a decided leaning towards stage power in recent weeks, and it appears that theatres will continue to seek top stage support instead of slapping on a film with a prayer.

At the Chicago, the Andrews Sisters are piping the shekels to a happy tune along with the Gene Krupa orchestra and 'Four Mothers,' the three items proving too tough a competition for snow and cold. Despite the weather this house is riding to a brilliant week. And across the street in the State-Lake, the stage is again the savior of the boxoffice life. New unit, 'Screwballs of 1941' is getting No. 1 billing and is slugging its way to one of the biggest money sessions this house has garnered in a long, long time. Had 'em standing in line in face of a blinding snowstorm.

Elsewhere the best notes are being struck by the holdovers. 'Kitty Foyle' is the money-maker of the season and is winging its way brilliantly in the Palace on its sixth week, while at the United Artists 'Philadelphia' continues in its third week with strong wicket action.

Apollo has been taken over by Disney for 'Fantasia' which opens a two-a-day run on Feb. 18.

Estimates for This Week

Apollo (B&K) (1,200; 35-55-65-75) —'Son Cristo' (UA) (2d and final week). Slouching to mild $4,000 for last seven days, with house going dark this week for a short lay-off for mechanical adjustments prior to opening of 'Fantasia' (RKO) next week. Disney has taken house on option until 1943. Last week, 'Cristo' took so-so $5,900.

Chicago (B&K) (4,000; 35-55-75)—'Four Mothers' (WB) and stage show with Andrews Sisters and Gene Krupa. Trio is big favorite in this town, and adding plenty of lustre at the gate. Krupa band just finished long stay in the Hotel Sherman. Combination is strong and headed for nifty $45,000. Last week, 'Thing Called Love' (Col) and Gertrude Niesen headlining, tagged okay $33,100.

Garrick (B&K) (900; 35-55-65-75) —'Thing Called Love' (Col). Moved here from the Chicago and going to all right $4,500. Last week, 'Second Chorus' (Par) second loop session managed fair $3,800.

Oriental (Jones) (3,200; 28-44)— 'Hit Parade' (Rep) and 'Down Miami Way' unit on stage. Strictly up to the picture, and the deal indicates pay-out of $14,000, good enough. Last week, 'Red Hair' (WB), satisfactory $14,400.

Palace (RKO) (2,500; 33-44-66)— 'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) (6th week). Has had rousing money stay. Probably finishing this week with $11,000, after coming up with hotcha $12,200 last week. 'Buck Privates' (U) is due in for a short stay prior to 'Back Street' (U).

Roosevelt (B&K) (1,500; 35-55-65-75)- 'Flight Command' (M-G) (2d wk). Managed fine $14,400 last week, but comment is weak and film is sagging currently to $9,500.

State-Lake (B&K) (2,700; 28-44)— 'South Suez' (WB) and 'Screwballs of 1941' unit on stage. Strictly on the stage attraction the wicket whirls at a dizzy pace this week, whizzing to snappy $22,000, which means turnaway business. Last week Sally Rand and Jackie Heller combined to furnish boxoffice power to 'Escape Glory' (Col) for healthy $17,900.

United Artists (B&K-M-G) (1,700; 35-55-65-75) — 'Philadelphia' (M-G) (3d wk). Picture has the femmes straining for a peek at the screen and holding to fine $12,000 currently following brilliant $17,300 last week.

of cash with 'Honeymoon for Three' on the screen and 'Stars Over Hollywood' on stage, helped by Simone Simon and Dorothea Kent.

Estimates for This Week

Circle (Katz-Dolle) (2,600; 25-30-40)—'Invisible Woman' (U) and 'Nanette' (RKO). Weak $5,600. Last week, 'Kitty Foyle' (RKO) and 'Remedy Riches' (RKO) (2d wk), okay $6,800.

Indiana (Katz-Dolle) (3,100; 25-30-40)—'Back Street' (U) and 'La Zonga' (U). Disappointing $6,500, but in the black. Last week, 'Mr. and Mrs. Smith' (RKO) and 'Saint Palm Springs' (RKO), very good $9,200.

Loew's (Loew's) (2,400; 40-55)— 'Gone' (M-G) (2d wk). Still blowing strong at $12,000, with possible third week in sight. Last week, socko $16,000, hampered only by lack of turnover occasioned by length of picture.

Lyric (Lyric) (1,900; 25-30-40)— 'Honeymoon for Three' (WB) and 'Stars Over Hollywood' on stage. Okay $9,000. Last week, 'Meet Missus' (Rep) and Gray Gordon orch on stage, just over the line at $8,200.

INDPLS. ICE HURTING 'STREET', FAIR $6,500

Indianapolis, Feb. 11.

Biz is steady in the downtown belt this week, with coin being distributed on worth of marquee strength. Biggest disappointment is 'Back Street,' dualled with 'Mme. La Zonga' at the Indiana, which is below expectations. The weather man's ears are burning, though, as he takes part of the blame, for countryside is covered with snow and roads are dangerous to travel because of ice.

Loew's is healthy for the second week of 'Gone With the Wind,' with management looking forward to a third week unless a last-minute relapse sets in. Circle is puny dualling 'Invisible Woman' played over 'No, No, Nanette' in the display ads. Lyric has been given a transfusion

'STORY,' $17,000, GREAT IN 2D PITT. WK.

Pittsburgh, Feb. 11.

Biz still booming, and chiefly with h.o.'s at that. Only a couple of situations have new pix and they're holding their own, but not in the same league with the smash clickeroos which are hanging around for runs.

'Philadelphia Story' is still crocking 'em in second week at Penn, and moves Friday (14) to another spot, either Warner or Ritz, for continuation of downtown engagement while 'Gone With the Wind' in fourth week at Warner, looks set to go at least one more and possibly two. 'This Thing Called Love' is winding up month's stay at Senator to excellent biz, and combo of 'Son of Monte Cristo' and 'La Conga Revue' is doing well at Stanley. Only Fulton, with 'Land of Liberty' and 'Keeping Company,' and Ritz, with 'Convoy' and 'Let's Make Music,' are off.

Estimates for This Week

Fulton (Shea) (1,750; 25-40)— 'Keeping Company' (M-G) and 'Land Liberty' (M-G). DeMille's historical compilation got the top billing and every effort was made to build it into something big, but public isn't buying. Doubtful if ceiling will be more than $2,900. Last week 'East River' (WB), about a grand better than that.

Penn (Loew's-UA) (3,300; 25-35-50)—'Phila. Story' (M-G) (2d wk). Big h.o. trade for Hepburn hit and should be good for at least additional fortnight at either Warner or Ritz. Has to move from here to make way for 'Kitty Foyle' (RKO) on Friday (14). On h.o. should top $17,000, great, on top of $24,500 opening session.

Ritz (WB) (800; 25-40)—'Make Music' (RKO) and 'Convoy' (RKO). Papers went to town on British propaganda picture, but again a case of the cash customers refusing to buy. Won't do $2,000, way under pay dirt. Last week 'Texas Rangers' (Par) and 'Earl Carroll's' (Par), surprised at $2,500, best a first-run twinner has done at this spot since it ceased functioning as a subsequent playdate.

Senator (1,700; 25-35-50)—'Called Love' (Col) (4th wk). One of the surprise clicks of the season. Winding up month's run to around $4,600, swell, and jam of product only reason it's coming out. 'Western Union' (20th) opens tomorrow (12). Last week, 'Love' got around $6,500, with four-week engagement totaling great $28,500.

Stanley (WB) (3,600; 25-40-60)— 'Monte Cristo' (UA) and 'La Conga Revue.' No names in stage show, but management figured town was about ripe for a congarumba show and it was right. At $17,000, house should show a slight profit in view of the low-cost stage show. Last week, 'Four Mothers' (WB) and Larry Clinton's band, disappointing at $16,000.

Warner (WB) (2,000; 40-55)— 'Gone' (M-G) (4th wk). Second at this spot following two at the Penn. Has plenty of stuff left and should move up around the $6,000 figure. Last week it was almost $11,000. May stick here, but if it doesn't, goes to the Ritz, whereupon 'Phila Stor' will move to Warner. Otherwise Hepburn will go to the Ritz.

First Runs on Broadway

(Subject to Change)

Week of Feb. 13

Astor—'Great Dictator' (UA) (18th wk).

Broadway—'Fantasia' (Disney) (14th wk).

Capitol—'Gone With the Wind' (M-G) (4th wk).

Criterion — 'Maisie Was Lady' (M-G).
(Reviewed in Variety Jan. 15)

Globe — 'Night Train' (20th) (8th wk).

Music Hall—'This Thing Called Love' (Col).
(Reviewed in Variety Dec. 25)

Paramount — 'Virginia' (Par) (3d wk).

Rialto—'The Devil Commands' (Col).

Rivoli—'Back Street' (U) (11).
(Reviewed in Current Issue)

Roxy—'Western Union' (20th) (2d wk).

State—'Buck Privates' (U).
(Reviewed in Variety Feb. 5)

Strand—'Honeymoon for Three' (WB) (2d wk).

Week of Feb. 20

Astor—'Great Dictator' (UA) (19th wk).

Broadway—'Fantasia' (Disney) (15th wk).

Capitol—'Go West' (M-G).

Criterion — 'The Mad Doctor' (Par).

Globe — 'Night Train' (20th) (9th wk).

Music Hall—'This Thing Called Love' (Col) (2d wk).

Paramount—'You're the One' (Par) (19).
(Reviewed in Variety Feb. 5)

Rialto—'Road Show' (UA).
(Reviewed in Current Issue)

Rivoli—'Back Street' (U) (2d wk).

Roxy—'Tobacco Road' (20th).

Strand — 'Strawberry Blonde' (WB) (21).

'STREET' 14G, CINCY SO-SO

Cincinnati, Feb. 11.

General results show a gain of several notches over last week, yet not enough to make exhibs smile. Cold was a b.o. setback Saturday (8). Last week the pic parlors felt the sting of 'Hellzapoppin,' which set a local legit record at the Taft auditorium.

Cincy locale of 'Back Street' is giving the picture steam, and it is racking up a big figure for the Albee. 'High Sierra' is the No. 2 tugger this week, but returns are n.s.h. for the Palace. Grand is doing fair with 'Four Mothers,' while 'Tall, Dark, Handsome' is sad for Keith's. Milt Britton's band is perking the combo Shubert to an okay mark. House has 'Play Girl' on the screen.

Estimates for This Week

Albee (RKO) (3,300; 33-40-50)— 'Back Street' (U). Film's Cincy locale rated extra art and type space by dailies, and aroused added amount of public chatter. Big $14,000. Last week, 'Mr. and Mrs. Smith' (RKO), good $12,000.

Capitol (RKO) (2,000; 33-40-50)— 'Mr. and Mrs. Smith' (RKO). Moveover from Albee for second week. Slow $4,000. Same last week on 'Arizona' (Col) (2d run).

Family (RKO) (1,000; 15-28)— 'Girls 21' (Col) and 'Friendly Neighbors' (Rep), split with 'Behind News' (Rep) and 'Black Parrot' (WB). Average $2,100. Ditto last week for 'Swimming Hole' (Mono) and 'Romance Rio Grande' (20th), divided with 'Doomed Caravan' (Par) and 'Barnyard Follies' (Rep).

Grand (RKO) (1,430; 33-40-50)— 'Four Mothers' (WB). Fair $4,500. Same last week with 'Honeymoon Three' (WB).

Keith's (Libson) (1,500; 33-40-50) —'Tall, Dark' (20th). Very bad $2,000. Last week, 'Second Chorus' (Par) (2d run), poor $3,000.

Lyric (RKO) (1,400; 33-40-50)— 'Honeymoon Three' (WB). Transferred from Grand for second week. Dull $2,500. Last week, 'Thing Called Love' (Col), Allright $3,000 for third week on main line.

Palace (RKO) (2,600; 33-40-50)— 'Sierra' (WB). N.s.h. $8,500. Last week, 'Victory' (Par), six days, $4,500, lowest here for a long time.

Shubert (RKO) (2,150; 33-44-60)— 'Play Girl' (RKO) and vaude topped by Milt Britton's band. Okay $11,500. Last week, 'Henry' (Par) and variety layout headlined by Ada Leonard orchestra, fairly good $10,500.

Wood on 'Kings Row'

Hollywood, Feb. 11.

Sam Wood draws the directing job on 'King's Row,' at Warners.

Casey Robinson is whipping up the screenplay.

N.Y. Has Its Ups and Downs; 'W.U.' Fast $45,000, But 'Arizona' Arid 70G, 'Honeymoon'-Noble Short 28G

(Best Exploitation: Roxy)

A mixed field holds the Broadway scene this week, with a couple new pictures finding the going tough. These are 'Honeymoon For Three,' at the Strand, and 'Arizona,' Music Hall's one-weeker, both of which are on crutches. Standout is 'Western Union,' which has been backed up by a good publicity-advertising-exploitation campaign.

'W. U.' is making the wires sing at the Roxy for a strong $45,000 or better and goes for a second week. By contrast, 'Arizona' will be lucky to hit $70,000. 'Honeymoon' has the Ray Noble band with it at the Strand. In for two weeks, it will get only around $28,000. 'Arizona' is being replaced tomorrow (Thurs.) by 'This Thing Called Love.'

While the weekend was generally very good, the better pictures receiving a lot of support, the rainstorm on Friday (7) was a brutal blow to all b.o.s. Business on Monday (10) also was sub-normal. A lot of flu, pneumonia and other things that are keeping people at home also figures. No doubt the Churchill speech on Sunday kept others away from the theatres. Lincoln's birthday today (Wed.) should help make up for that dent.

Socking through like a Joe Louis is the Paramount show of 'Virginia' and Glenn Miller. Finishing the second week last night (Tues.) at a powerful $46,000, it goes a third stanza. The first seven days was $60,000, high in the grossing empyrean.

'Gone,' now in its third week at the Capitol, will add another $38,000 or so to the $103,000 it has already taken away from the townfolk. Stays another week. Picture has not yet been dated for any of the other Loew houses in the Greater New York region.

'Flight Command,' on second-run at the State, with a vaude table d'hote including Johnny McGee, Eunice Healy, Joan Merrill and the Diamond Bros., is doing very well, about $24,500. House gets a first-run, 'Buck Privates' (U), tomorrow (Thurs.).

Rivoli opened "Back Street' last night (Tues.) after four weeks of 'Kitty Foyle,' which panned out rather profitably, final week being $15,000.

Estimates for This Week

Astor (1,012; 75-85-$1.10-$1.65-$2.20) —'Dictator' (UA) (18th week). Last week (17th), $14,500, good. Likely to depart soon, with Par possibly taking house for 'I Wanted Wings,' for which roadshow plans are being discussed.

Broadway (1,895; 55-75-$1.10-$1.65-$2.20) — 'Fantasia' (Disney) (14th week). With two extra weekend shows added and price for kids cut in half, business last week (13th) took a turn upward to $24,000, excellent.

Capitol (4,520; 40-55-85-$1.10-$1.25) —'Gone' (M-G) (3d week). Coming down the scale but at $38,000 this week (3) still very good. Last week was $47,000. Starts the fourth stanza tomorrow (Thurs.).

Criterion (1,662; 28-44-55-65) — 'Maisie Was Lady' (M-G) opens today (Wed.) after a light week of 'Life With Henry' (Par), only $5,500. Behind that, 'Land of Liberty' (M-G), $6,000, very disappointing.

Globe (1,180; 28-35-55-85)—'Night Train' (20th) (7th week). Steaming to good $7,500 and continues the run, with an eighth and possibly final week starting Saturday (15). The sixth hebdomadal stint was $8,000.

Palace (1,700; 20-35-55) — 'High Sierra' (WB) (2d run) and 'Father's Son' (WB) (1st run). This dual opens today (Wed.), a day ahead of schedule. 'Tall, Dark' (20th) (2d run) and 'Four Mothers' (WB) (2d run), one six days, mild $7,000. In ahead. 'Hudson's Bay' (20th) (2d run) and 'Play Girl' (RKO) (1st run), $7,000, same.

Paramount (3,664; 35-55-85-99)— 'Virginia' (Par) and Glenn Miller (3d-final week). Begins final rubber today after hitting a little slam at $46,000 on the second and big slameroo at $60,000 the first deal of the cards. Already plenty of profit is in for both distributor and theatre.

Radio City Music Hall (5,960; 44-55-85-99-$1.65)—'Arizona' (Col) and stage show. Kicking up no dust and probably not over $70,000, a slow gallop. Last week, sixth for 'Philadelphia Story,' $85,000, very big.

Rialto (750; 28-44-55)—'Face Behind Mask' (Col). Doing pretty good, $7,000. Last week, 'Saint in Palm Springs' (RKO), $7,200.

Rivoli (2,092; 35-55-75-99)—'Back Street' (RKO). Opened last night (Tues.), following a four weeks' engagement of 'Kitty Foyle,' final session being $15,000, the third near to $20,000. Though not a smash here, 'Kitty' made good money.

Roxy (5,835; 35-55-65-75-85)— 'Western Union' (20th) and stage show. This picture will get a rousing $45,000 or thereabouts. Holds over. Last week, second for 'Tall, Dark' (20th), $44,000, which, added to $52,500 the first week, meant riches.

State (3,400; 28-44-55-75-90-$1.10)— 'Flight Command' (M-G) (2d run) and vaude, including Johnny McGee, Eunice Healy, Joan Merrill and Diamond Bros. Brisk going here, probably around $24,500. Last week, 'Comrade X' (M-G) (2d run) and Jim Barton, Kitty Carlisle, Dixie Dunbar, over $28,000, big.

Strand (2,767; 35-55-75-85-99)— 'Honeymoon for Three' (WB) and Ray Noble. In the running just for exercise, only about $28,000 seen. Last week, second for 'High Sierra' (WB) and Henry Busse, $31,000, good. Current show is booked in for two weeks.

'BACK ST.' LOOKS NEAT $8,700 IN K.C.

Kansas City, Feb. 11.

Good films are available in every first-run this week. 'Back Street' is making a favorable impression in day and date bookings at the Uptown and Esquire. Sullavan-Boyer team is ringing up the best week of the new year in these spots and is a holdover possibility. 'Honeymoon for Three,' at Newman, is giving the house an average week.

'Gone With The Wind' kept up its strength at the Midland and was booked for a third week at the 11th hour. Looks like about 60% of the second week, still a nice figure. Orpheum likewise has a third week holdover, second such extended run engagement in a row, in 'Santa Fe Trail,' which is satisfactory but not quite the calibre of the third week of its predecessor, 'Kitty Foyle.'

Estimates for This Week

Esquire and Uptown (Fox Midwest) (820 and 2,043; 10-28-44)— 'Back Street' (U). Opened Thursday (6). Doing better than anything of recent date here and probable holdover. Combo $8,700 very nice. Last week, 'Buck Privates' (U), mild $5,300.

Midland (Loew's) (4,101; 25-40-56) —'Gone' (M-G) (3d wk). Held at last minute for third week's run. Looks to come in around $10,000, very good after previous weeks of $20,000 and $15,000. 'The Philadelphia Story' opens Friday (14).

Newman (Paramount) (1,900; 10-28-44) — 'Honeymoon for Three' (WB). Light comedy getting fair $6,000. Last week, 'Victory' (Par), so-so $5,200.

Orpheum (RKO) (1,500. 10-28-44) —'Santa Fe Trail' (WB) and 'Couldn't Say No' (WB) (3d wk). Nice $5,300 follows good weeks of $9,500 and $6,800.

Tower (Joffee) (2,110; 10-30)— 'Romance Rio Grande' (20th) and Clyde McCoy orch on stage. Sailing along to $8,700, good. Last week, 'Bank Dick' (U) and vaude, $6,900, fair.

'Sierra,' 20G, 'Command,' $15,000, Top Brooklyn

Brooklyn, Feb. 11.

Fabian Paramount, with 'High Sierra' and 'Night at Earl Carroll's,' and Loew's Metropolitan, with 'Flight Command' and 'Haunted Honeymoon,' are leading downtown deluxers this stanza. Second week of 'Second Chorus' and 'Texas Rangers Ride Again' also okay.

Estimates for This Week

Albee (RKO) (3,274; 25-35-50)— 'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO). Opened yesterday (Mon.). Last week, 'Dark and Handsome' (20th) and 'Make Music' (RKO), five days, mild $12,000.

Fox (Fabian) (4,039; 25-35-50)— 'Texas Rangers' (Par) and 'Second Chorus' (Par) (2d wk.). Neat $14,000. Last week, strong $22,000.

Met (Loew's) (3,618, 25-35-50)— 'Flight Command' (M-G) and 'Haunted Honeymoon' (M-G). Satisfactory $15,000. Last week, 'Comrade X' (M-G) and 'Hullabaloo' (M-G) (2d wk.), good $17,000.

Paramount (Fabian) (4,126; 25-35-50)—'High Sierra' (WB) and 'Earl Carroll's' (Par). Nifty $20,000. Last week, 'Four Mothers' (WB) and 'San Francisco Docks' (U), good $18,000.

Strand (WB) (2,870; 25-35-40)— 'Ellery Queen' (Col) and 'Caught in Act' (PRC). Nice $5,000. Last week, 'Bowery Boy' (Rep) and 'Street Cairo' (U), mild $4,000.

Frisco Badly Battered; 'Sierra' Fair $15,000, 'Live' Average At $12,000

San Francisco, Feb. 11.

More rain, sell-outs for legit attractions, a roller derby, a new flesh, and the opening of the Golden Gate Turf club across the bay took their bite this week. Latter's dent was relatively minor, ill-fated track opening to record lows and winding up its first week with an involuntary petition of bankruptcy.

General screen lineup appears to be lacking in magnetism this week and includes several holdovers. Newsreel take rating space to plug 'After Mein Kampf—?' with the nabes. The Princess has broken into the dailies with ads on 'Blitzkrieg in the West.'

Estimates for This Week

Fox (F-WC) (5,000; 35-40-50)—'Sierra' (WB) and 'Ride, Kelly' (20th). Only a fair $15,000 in prospect here. Last (2d) week of 'Philadelphia' (M-G) and 'Jennie' (20th) finished nicely at $14,000.

Golden Gate (RKO) (2,850; 39-44-55)—'Kitty Foyle' (RKO) and Vaude (3d wk). Record stay of the Ginger Rogers opus will get $10,000 on the third frame. Last (2d) week,, top notch $14,500.

Orpheum (F&M) (2,440; 35-40-50) 'Vigilantes' (U) and 'Invisible Woman' (U). Not too strong. Doesn't look like more than $9,000. Last (4th-final) week of 'Thing Called Love' (Col) and 'Ellery Queen' (Col) bowed out nicely at $6,000.

Paramount (F-WC) (2,470; 35-40-50)—'Come Live' (M-G) and 'Mad Doctor' (Par). Just average $12,000 for this duo. Last week, 'Tall, Dark' (20th) and 'Keeping Company' (M-G) didn't catch on here, fading at $9,000.

St. Francis (F-WC) (1,475; 35-40-50)—'Maisie Lady' (M-G) and 'Night Train' (20th) (moveover). Average $5,000. Last week, same for second moveover week of 'Comrade X' (M-G) and 'Romance Rio Grande' (20th).

United Artists (Cohen) (1,200; 35-40-50)—'Long Voyage' (U) (2d wk). Very disappointing $5,500. First week, $8,500, under expectations.

Warfield (F-WC) (2,680; 35-40-50) —'Philadelphia' (M-G) and 'Jennie' (20th) (moveover). Shifted here from Fox for a third week, and may pick up $9,000, adequate. Last week, 'Maisie Lady' (M-G) and 'Night Train' (20th), mild $11,000.

H.O.S FLOOD SEATTLE; 'LOVE' FINE $7,000

Seattle, Feb. 11.

Town is flooded with holdovers this week. This is true of 'Kittle Foyle' at Fifth, 'Philadelphia Story' at M.B., 'Hudson's Bay' at the Blue Mouse, and 'High Sierra' at Orpheum.

New product includes 'Mr. and Mrs. Smith' at the Paramount, and 'This Thing Called Love' at the Liberty.

Defense spending is beginning to manifest itself at the b.o. Around 10,000 men are now employed at Boeing's. This figure will rise to 18,000 in the near future. Bremerton, the navy town across the Sound, has an all-time high of 15,000 workers, and shipping yards are tooling up to employ a like number of men in a few months. So the burg looks to have some free coin around, ere long and amusements should get their share.

Estimates for This Week

Blue Mouse (Hamrick-Evergreen) (850; 30-40-50)—'Hudson Bay' (20th) and 'Saint Palm Springs' (RKO). Moved over from Paramount for third week and holding for very good $2,900. Last week, 'Victory' (Par) and 'Up in Air' (Mono), $1,800, slow.

Coliseum (Hamrick - Evergreen) (1,900; 16-32)—'Go West' (M-G) and 'Long Voyage' (UA) (2d run). Good $3,300 in store. Last week 'Tin Pan Alley' (20th) and 'South Suez' (WB) (2d run), big $3,703.

Fifth Avenue (Hamrick-Evergreen) (2,349; 30-40-50-55)—'Kitty Foyle' (RKO) and 'Tall, Dark' (20th) (2d wk). Sliding at $4,100, but still fair. Last week, same films, $8,300, big.

Liberty (J-vH) (1,650; 30-40-50)—'Thing Called Love' (Col). Campaign helping, and looks to land big $7,000. Last week, 'Escape Glory' (Col) and 'Blondie Trouble' (Col), slow $3,700.

Music Box (Hamrick-Evergreen) (850; 30-40-50)—'Philadelphia Story' (M-G) and 'Shayne Detective' (20th) (4th wk). Another great $3,100, meaning a fifth try. Last week $3,900 great.

Orpheum (Hamrick - Evergreen) (2,600; 30-40-50)—'Sierra' (WB) and 'Where Get Girl' (U) (2d wk). Paced at good $4,000. Last week, same films, $7,400, big.

Paramar (Sterling) (1,'350; 20-50)—'Aunt Maggie' (Rep) and 'Great Mr. Nobody' (WB), plus vaude. Good $5,500. Last week, 'Riding Rainbow' (Rep) and 'Remedy Riches' (RKO), plus stage show, $5,800, big.

Paramount (Hamrick - Evergreen) (3,039; 30-40-50)—'Mr. and Mrs. Smith' (RKO) and 'Little Men' (RKO). Very good $6,300. Last week, 'Hudson's Bay' (20th) and 'Saint Palm Springs' (RKO) (2d wk), $4,700, good.

Roosevelt (Sterling) (800; 16-32) —'Chad Hanna' (20th) and 'Night Tropics' (U) (2d run). Okay $2,100. Last week, 'Bank Dick' (U) and 'Four Mothers' (WB) (2d run), $1,800, slow.

Winter Garden (Sterling) (800; 16-30)—'Bitter Sweet' (M-G) and 'Young People' (20th) (2d run). Big $2,500. Last week, 'Third Finger' (M-G) and 'City Conquest' (WB) (2d run), $2,300, big.

'Street' Sprightly $10,000 in L'ville; 'Gone' H. O. Ditto

Louisville, Feb. 11.

(Best Exploitation: Rialto)

Grosses at a couple downtown houses are fairly strong, while the rest are pacing for about average returns. 'Gone with the Wind' in second week at Loew's State held up well over the week-end, but pace is slackening on latter half of the stanza and the film will probably wind up its engagement next Thursday (13). 'Back Street' at the Rialto is the town's bright spot, exploitation and plenty of newspaper space helping tremendously to mark up a gratifying figure.

Boyd Martin, local critic, who attended the premier of 'Back Street' in Miami, cooperated by giving the pic several articles, and exploitation top spent several days in town, putting on a campaign which was noteworthy for its effectiveness. One stunt consisted of photographs of local boys and girls showing how they would act out a Boyer-Sullavan scene from the pic. Meantime, a six-column spread in the Times with art showed how various lovers from youth to old age would pose for the osculatio [illegible]. Entire campaign was well handled.

Estimates for This Week

Brown (Loew's-Fourth Avenue) (1,400; 15-30-40)—'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO). Doing fair biz after moveover from Rialto. Makes the third downtown week, and cream of b.o. has already been skimmed. At that, looks like $4,000, fair. Last week, 'Bagdad' (UA) and 'Ellery Queen' (Col), registered fine $2,400.

Kentucky (Switow) (1,200; 15-25) —'Arise Love' (Par) and 'Melody Ranch' (Rep). Pointing at about average take, probably fair $1,400. Last week, 'Letter' (WB) and 'Earl Carroll's' (Par), split with 'South Suez' (WB) and 'Blondie Cupid' (Col), showed strength at fine $1,700.

Loew's State (Loew's) (3,200; 33-50)—'Gone' (M-G) (2d wk). Gives evidence of slackening and will wind up with around $10,000, pretty good. Last week, splendid $20,000, although even more than was anticipated, based on getaway biz.

Mary Anderson (Libson) (1,000; 15-30-40) —'Flight Destiny' (WB). Adequate $3,400 indicated. Last week, 'Sierra' (WB) (2d wk), fine $3,800.

Rialto (Fourth Avenue) (3,400; 15-30-40)—'Back Street' (U) and 'Madame La Zonga' (U). Live-wire exploitation on the job to give 'Back Street' a swell boost. Fact that pic had opening here while Boyd Martin, local critic, fed stories from the Miami premiere, gave biz an impetus. Well-worked-out exploitation stuff also helped to sell the Boyer-Sullavan opus in great style. Looks to cop swell $10,000. Last week, 'Victory' (Par) and 'Henry' (Par), satisfactory $7,500.

Strand (Fourth Avenue) (1,400; 15-30-40)—'Make Music' (RKO) and 'Little Men' (RKO). Medium $2,800. Last week, 'Tall, Dark' (20th) and 'Girl News' (20th), okay $3,200.

'W.U.' TOPS PROV., 12G; 'HENRY' STEADY $6,500

Providence, Feb. 11.

(Best Exploitation: Majestic)

Grosses fairly steady all around with 'Western Union' at Majestic taking top honors. 'Son of Monte Cristo' at Loew's also good, while 'Kitty Foyle' at RKO Albee this week equals 'Snow White's' holdover record of six weeks, and still proving strong.

Majestic went to town on 'Western Union.' Campaign was high-spotted by sending of 1,000 fifty-word telegrams boosting pic, and sewing up book and downtown department stores with posters, etc. Several hundred bumper strips and conventional co-op newspaper ads rounded out the effort.

Estimates for This Week

Albee (RKO) (2,200; 28-39-50)—'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) (6th wk). Picked up after one day shutdown for legit show Friday (7), and holding knockout $5,500 pace. Cornered swell $5,800 in fifth stanza.

Carlton (Fay-Loew) (900; 28-40-55)—'Gone' (M-G). Shifted from Loew's for third downtown week in return engagement. Giving house hefty $5,000. Last week, 'Sierra' (WB) and 'Black Parrot' (WB) (2d run), good $3,000.

Fay's (Indie) (2,000; 25-35)— 'Golden Hoofs' (20th) and 'Deep River Boys' heading vaude. Paced at solid $6,000. Last week, 'Wyoming Wildcat' (Rep) and trio of Powers Singing Models heading stage show, good $6,000.

Majestic (Fay) (2,200; 28-39-50)— 'Western Union' (20th) and 'Meet Chump' (U). Getting hefty play for nifty $12,000. Last week, 'Honeymoon Three' (WB) and 'Romance Rio Grande' (20th), nice $7,500.

State (Loew) (3,200; 28-40-50)— 'Son Cristo' (UA) and 'Phantom Submarine' (Col). Good $11,000. Last week, 'Gone' (M-G) (2d wk.), swell $12,100.

Strand (Indie) (2,000; 28-40-50)— 'Henry' (Par) and 'Doomed Caravan' (Par). Steady grosser pacing to good $6,500. Last week, 'You're the One' (Par) and 'Behind News' (Rep), good $6,700.

'SIERRA,' 14G, 'STREET,' $11,000, BIG IN BALTO

Baltimore, Feb. 11.

Biz remains good here. 'Back Street,' off to a big opening at Keith's is continuing strong and pointing to nice take. Also good is 'High Sierra,' at the Stanley. Hipp, combining Benny Maroff's 'Funzafire' revue and 'Convoy,' is getting fair returns.

Plenty of action on weekends a big boost all around.

Estimates for This Week

Century (Loew's-UA) (3,000; 25-40-55)—'Gone' (M-G) (3d wk). Holding up very nicely for possible $11,000, after chalking up big $41,400 for previous brace.

Hippodrome (Rappaport) (2,205; 15-28-39-44-55-66) — 'Convoy' (Col) plus Meroff's 'Funzafire' unit. Looks like fair $13,000. Last week, second of 'Thing Called Love' (Col) tied to new stage portion of Major Bowes anniversary unit, added strong $14,200 to previous opening round of big $16,300.

Keith's (Schanberger) (2,406; 15-28-33-39-44)—'Back Street' (U). In to big fanfare and headed for good $11,000. Probable h.o. Last week, 'Buck Privates' (U), got fair $5,700.

New (Mechanic) (1,581; 15-28-35-44)—'Maisie Was Lady' (M-G) (2d wk). Stretching out to accommodate opening of 'Western Union' (20th) Thursday (13). Should reach total of $7,900 for run, good figure for limited capacity here.

Stanley (WB) (3,280; 15-28-39-44-55)—'High Sierra' (WB). Paced for big $14,000. Last week, second of 'Santa Fe' (WB), added good $11,200 to extra solid initial sesh at $17,300.

'Chad'-'Handsome' Nice $9,000 in So-So Denver

Denver, Feb. 11.

'Mr. and Mrs. Smith,' dualled with 'Let's Make Music' at Orpheum, is town's best b.o. bet currently. 'Chad Hanna' with 'Tall, Dark and Handsome' close second at Denver.

Estimates for This Week

Aladdin (Fox) (1,400; 25-40)— 'Hudson's Bay' (20th), after week at Denver. Good $4,500. Last week, 'Four Mothers' (WB), after week at Denver, and 'Here Comes Navy' (WB), day and date with Broadway, good $4,000.

Broadway (Fox) (1,040; 25-35-40) —'Phila. Story' (M-G), after two weeks at Orpheum. Good $3,000. Last week, 'Kitty Foyle' (RKO), second week after week at Orpheum, and 'Here Comes Navy' (WB), fair $2,500.

Denham (Cockrill) (1,750; 25-35-40)— 'Hard-Boiled Canary' (Par). Very poor $2,000. Last week, 'Victory' (Par), poor $3,800.

Denver (Fox) (2,525; 25-35-40)— 'Chad Hanna' (20th) and 'Dark and Handsome' (20th). Nice $8,000. Last week, 'Hudson's Bay' (20th) and 'Michael Shane' (20th), good $10,000.

Orpheum (RKO) (2,600; 25-35-40) —'Mr. and Mrs. Smith' (RKO) and 'Make Music' (RKO). Good $10,000. Last week, 'Philadelphia Story' (M-G), second week, good $8,000.

Paramount (Fox) (2,200; 25-40)— 'Honeymoon Three' (WB) and 'Black Parrott' (WB). Good $5,000. Last week, 'Escape Glory' (Col) and 'Murder New York' (20th), good $4,500.

Rialto (Fox) (878; 25-40)—'Four Mothers' (WB), after week at each the Denver and Aladdin and 'Lucky Devils' (U), Good $2,000. Last week, 'Arizona' (Col), after week at each Denver and Aladdin and 'Outsider' (Alliance), good $2,200.

Mpls. Continues Vaudfilm Battle; 'Flight'-Vaude 12G, 'Santa Fe' Big

'PHILLY' HUGE $14,000, PORT.; 'KITTY' $9,000

Portland, Ore., Feb. 11.

Strong product giving new life to movie-goers in this burg. Two best openers this week are 'Philadelphia Story' at the Broadway and 'Kitty Foyle' at the big Paramount. Both pix are in line to hold.

'Come Live With Me' is a strong h.o. at the Mayfair.

Estimates for This Week

Broadway (Parker) (2,000; 35-40-50)—'Philadelphia' (M-G). In line for immense $14,000, and will hold. Last week, 'Santa Fe' (WB) and 'Couldn't Say No' (WB) closed a second week to nice $5,600.

Mayfair (Parker-Evergreen) (1,-500; 35-40-50)—'Come Live' (M-G) and 'Maisie Lady' (M-G). M.o. from the UA for a second week getting good $4,000. Last week, 'Bagdad' (UA) and 'Captain Caution' (UA), an average $2,800 on fourth session.

Orpheum (Hamrick-Evergreen) (1,800; 35-40-50)—'Tall, Dark' (20th) and 'Night Train' (20th) with vaude. Okay $5,500. Last week, 'Four Mothers' (WB) and 'Charter Pilot' (20th) with vaude, satisfactory $6,000.

Paramount (Hamrick-Evergreen) (3,000; 35-40-50) — 'Kitty Foyle' (RKO) and 'Too Many Girls' (RKO). Well heeled after good pre-bally, and great $9,000 in store. Will probably hold. Last week, 'Thing Called Love' (Col) and 'Angels Broadway' (Col) closed a third stanza for good $4,500.

United Artists (Parker) (1,000; 35-40-50)—'Back Street' (U). Looks like better than average $5,700. Last 10 days, 'Come Live' (M-G) and 'Maisie Lady' (M-G) made a high $8,000 and moved to the Mayfair.

'BACK ST.' OKAY $19,000, DET.

Detroit, Feb. 11.

(Best Exploitation: Fox)

Having come up with plentiful new bills last week, Detroit is back to its normal strong use of holdovers. Only the Fox and Michigan, of the five downtown houses, brought in fresh pix this week, with biz here running good.

Michigan and Fox will make it close this week, the former using 'Kitty Foyle' and 'The Saint in Palm Springs' as a close contender to the Fox's use of 'Back Street,' which goes as a solo at night but for matinees is coupled with 'Youth Will Be Served.'

United Artists carries into a fifth and final week 'Philadelphia Story' and 'Maisie Was a Lady' and clears them to bring in 'Gone,' which had its first run in the same house. Oddly enough, it shared the first week with Dick Wilson theatre which also comes back into the picture scene next week with 'Fantasia.'

That 'best' this week was no cinch with exploitation crews here having a field day. Fox, however, draws the nod since it made plentiful newspaper plants, ran off a radio contest on 'Would you prefer an alliance with man you loved deeply or marriage with a man you merely admired,' used additional air shots and store tie-ups, and clinched matters with plentiful attention on gas-is-single-featuring of 'Back Street' in this town of double features. It is also conducting a fan poll on single and double features in conjunction with the showing. Michigan was a good contender with a contest to find a double for Ginger Rogers and by putting shorthand letters for translation (also on 'Kitty Foyle') in all business colleges and the numerous highschool shorthand classes.

Estimates for This Week

Adams (Balaban) (1,700; 30-40-55) —'Thing Called Love' (Col) and 'Night Train' (20th). This pair moved over after a fair week at the Fox. Nice $6,500. Last week, 'Invisible Woman' (U) and 'Romance Rio Grande' (20th), same $7,000.

Fox (Fox-Michigan) (5,000; 30-40-55)—'Back Street' (U) and 'Youth Served' (20th). These run as a pair for the first three shows daily, but for the night two 'Back Street' goes alone with selected shorts. Okay $19,000 indicated. Last week, 'Thing Called Love' (Col) and 'Night Train' (20th) dull $16,500 with weather not helping.

Michigan (United Detroit) (4,000; 30-40-55)—'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO). Doing all right and $18,000 indicated. Last week, 'Son Cristo' (UA) and 'Follies Bergere,' with a boosted price midnight show on Saturday, big $29,000.

Palms-State (Unitcd Detroit) (3,-000; 30-40-55)—'Here Comes Navy' (WB) (re-issue) and 'South Suez' (WB) (2d wk.). Good $7,000 coming on top of choice $10,000 for first week.

United Artists (United Detroit) (2,000; 30-40-55) — 'Philadelphia' (M-G) and 'Maisie' (M-G) (5th wk.). Keeps strength with $6,000, after $8,000 last week.

Minneapolis, Feb. 11.

Another clash of stage shows has the Orpheum and Minnesota at each other's throats again. With a strong straight film, 'Santa Fe Trail,' the State, too, is trying hard to climb on the driver's seat and will grab off a large slice of available trade.

Orpheum's zippy stage array, topped by Kitty Carlisle, Ben Blue and Rufe Davis, has powerful screen support in 'Flight Command.' This gives the Singer house a big edge over the independent Minnesota which parades forth Anita Louise and Jackie Heller as vaude names, but which suffers the handicap of 'Bowery Boy' on the film portion.

Results are emphasizing again that town just can't adequately support such a wealth of entertainment it recently has been having. It appears that too many buyers can't afford more than one show a week and, often, if many attend one in a week their finances compel them to lay off entirely the succeeding seven days. Thus with the Andrews Sisters in person and Philadelphia Story' alone draining the community exchequer to the tune of approximately $25,000 last week all current attractions suffer.

The box-office picture also is tinted by the fact that 'Philadelphia Story' continues for a third week and is still hitting a fast pace. And Earl Carroll's 'Vanities,' jumping all the way from the West Coast, and the Merry Macs-Ina Ray Hutton Orpheum and Minnesota, respectively, Friday (14) for a continuation of the stage show warfare.

Cold weather over the week-end was no help to the box-office.

Estimates for This Week

Astor (Par-Singer) (900; 15-28)— 'Romance Rio Grande' (20th) and 'Saint Palm Springs' (RKO). In for five days and headed for okay $1,-200. 'Youth Served' (20th) and 'San Francisco Docks' (U), also dual first-runs, opened Thursday (13). Last week, 'Night Tropics' (U) and 'Black Parrott' (WB), dual first-runs, good $2,100 in seven days.

Century (Par-Singer) (1,600; 28-39-44)—'Philadelphia' (M-G) (3d wk.). A box-office knockout in this town. Still clicking and pointed toward big $5,000 on top of $17,100 in initial fortnight at State. Last week, 'Son Cristo' (UA), light $3,400.

Esquire (Par-Singer) (300; 15-20)— 'Find Out' (RKO) (re-issue). House having plenty of product difficulty. Looks like mild $600. Last week, 'College Swing' (Par), good $900.

Gopher (Par-Singer) (950; 15-28)— 'Escape Glory' (Col). Headed for pretty good $3,000. Last week, 'Bank Dick' (U), $2,600, fair.

Minnesota (Middle States) (4,000; 28-39)—'Bowery Boy' (Rep) and stage show including Andrews Sisters and Jackie Heller. Screen portion is a drawback in this instance. Moreover, murderous Orpheum opposition also a throat-cutter. Mild $5,-500 looks tops. Last week, 'Melody Ranch' (Rep) and 'Screwballs of 1941' on stage, $6,000, brutal.

Orpheum (Par-Singer) (2,800; 28-44-55)—'Flight Command' (M-G) and Kitty Carlisle, Ben Blue and Rufe Davis on stage. Jeanne Foster and Dolly Loehr added for today (Tues.) and Wednesday. Big entertainment value at house scale. Good $12,000 in prospect, but far below what show rated. Last week, 'Second Chorus' (Par) and Andrews Sisters and Joe Venuti on stage, mainly responsible for very big but still insufficient $17,500.

State (Par-Singer) (2,300; 28-39-44)—'Santa Fe' (WB). Praised by critics and customers. Should reach big $8,500. Last week, 'Philadelphia' (M-G) (2d wk.), fine $7,000 after very big $10,100 first week.

Lyceum (Par) (1,200; 28-39)— 'Love Neighbor' (Par). First neighborhood showing. Good $2,500 indicated. Last week, 'Letter' (WB), first nabe showing, satisfactory $2,-300.

Uptown (Par-Singer-Steffes) 350; 28-39-44-55)—'Long Voyage' (UA). Well-spotted in this carriage trade house, but initial returns disappointing. May build to satisfactory $2,-000. Last week, 'Lilac Domino' (Select), three days, and 'Grapes Wrath' (20th) (re-issue), four days, bad $800.

Glorifying '9 Old Men'?

Hollywood, Feb. 11.

Columbia has signed Irwin Shaw to screenplay 'Mr. Twilight.'

Yarn, backgrounded again the U. S. Supreme Court, is on Everett Riskin's production slate.

Sammy Kaye-'Lazonga' Swinging Hot $27,500 in Philly; 'Gone,' 3d, $19,800

(Best Exploitation: Karlton)

Philadelphia, Feb. 11.

Holdovers are still holding the spotlight in midtown Philly this sesh and they're still coining plenty. The Aldine was darkened entirely all last week while being readied with special sound equipment for the opening of 'Fantasia.' The Disney-Stoky musical unveils for a special press preview tonight (Tues.). Tomorrow the house has been bought out by the Junior League. Regular showings begin Thursday matinee at $1.15 and $1.71 tabs.

Hottest of the newcomers is the combo of 'Six Lessons from Madame La Zonga' and Sammy Kaye band at the Earle. 'Little Men' at the Karlton is getting the benefit of big-time promotion, but is failing to rack up any heavy grosses. Karlton stunt, fathered by Al Zimbalist, Warner exploiteer, consists of a man dressed as Ferdinand, the Bull, picketing the house protesting against 'unfair competition' of Elsie, the Borden Cow. Elsie has also picked her favorites to be cast away on desert island with.

Estimates for This Week

Arcadia (Sablosky) (600; 35-45-57) —'Love Neighbor' (Par) (2d run) (2d wk). Getting satisfactory $3,800. Last week, Benny-Allen laugh-getter got $4,000.

Boyd (WB) (2,560; 35-45-57-68)—'Philadelphia Story' (M-G) (4th wk). Still plenty of good running time left in this one. Despite competish of Hepburn 'Philly Story' at the legiter Forrest, the film will get fine $15,000. Last week's gate for round three was hefty $25,000.

Earle (WB) (2,350; 35-45-57-68)—'Lazonga' (U) and Sammy Kaye orch. Raves from crix on stage show packing house reaching for big $27,500. Last week, 'Keeping Company' (M-G) and 'Streets of Paris' on stage, okay $21,900.

Fox (WB) (2,423; 35-45-57-68) — 'High Sierra' (WB) (2d wk). Holding own on h.o. with $12,800. Opener good for high $18,500.

Karlton (WB) (1,066; 35-45-57-68) —'Little Men' (RKO). Conversion of this house into first-runner due to deluxer tieup isn't helping much. Despite good ballyhoo, 'Men' getting mediocre $3,700. Last week's first-run of 'Lady Red Hair' (WB) just a shade better with $3,850.

Keith's (WB) (1,970; 35-45-57-68) —'Hudson's Bay' (20th) (2d run). N.s.h. $4,200. Last week, 'Kitty Foyle' (RKO), super $5,000 for third week of second-run showing.

Stanley (WB) (2,916; 35-45-57-68) —'Gone' (M-G) (3d wk). Looks like carbon of last year with bullish $19,800 this trip. Gate for second canto lush $27,000.

Stanton (WB) (1,457; 35-45-57)—'Frisco Docks' (U). Topping house par with okay $4,700. Last week, 'Tall, Dark' (20th), sock $5,800 for second chukker.

'GONE', $8,000, 'SMITH', 3½G, LINCOLN NIFTIES

Lincoln, Neb., Feb. 11.

'Gone with the Wind' is blowing bulk of the amusement coin into the Stuart till this week, heading the house for a money mark it hasn't hit in more than a year. 'Mr. and Mrs. Smith' is doing well at the Varsity, in spite of being just across the street from 'Gone.'

Estimates for This Week

Colonial (Monroe-Noble-Federer) (750; 10-15)—'Wildcat of Tucson' (Col) and 'Two Thoroughbreds' (RKO), split with 'Rollin' Home to Texas' (Mono) and 'Millionaires in Prison' (RKO). So-so $800. Last week, 'Secret Valley' (20th) and 'Gaucho Serenade' (Rep), split with 'Fargo Kid' (RKO) and 'Flying Deuces' (RKO), same.

Lincoln (J. H. Cooper-Par) (1,503; 10-25-40) — 'Dark and Handsome' (20th). Competish around town hurt and on five days only $1,000, poor. Last week, 'Philadelphia Story' (M-G), above expectations with $5,100.

Nebraska (J. H. Cooper-Par) (1,236; 10-20-25)—'Maizie Was Lady' (M-G) and 'San Francisco Docks' (U). 'Maizie' accountable for good $2,100. Last week, 'Slightly Tempted' (U) and 'Here Comes Navy' (WB), nice enough $2,200.

Stuart (J. H. Cooper-Par) (1,884; 10-25-40-55)—'Gone' (M-G). Looks like terrific $8,000. House is doing three-a-day, and that's a bag of money with so few turnovers and at these prices. Last week, 'Honeymoon Three' (WB), average $3,500.

Variety (Noble-Federer) (1,100; 10-20-25)—'Virginia City' (WB) and 'Phantom Sub' (Col). Heading for $2,300, okay. Last week, 'Face Behind Mask' (Col) and 'Bowery Boy' (Rep), split with 'Black Parrot' (WB) and 'Meet Missus' (Rep), fair $1,900.

Varsity (Noble-Federer) (1,100; 10-25-40)—'Mr. and Mrs. Smith' (RKO). Doing fine, $3,800. Last week, 'Foreign Correspondent' (UA), good $3,800.

Key City Grosses

Estimated Total Gross

This Week **$1,573,900**

(Based on 24 cities, 168 theatres, chiefly first runs, including N. Y.)

Total Gross Same Week

Last Year **$2,159,900**

(Based on 25 cities, 175 theatres)

'W. U.' $20,000, HUB'S LEADER

Boston, Feb. 11.

'Kitty Foyle' continued into a sixth week at the Keith Memorial last Thursday (6) and the weekend trade pointed to a seventh stanza. Overflow from 'Gone With the Wind,' playing the Orpheum upstreet, accounted for some of the holdover strength of 'Kitty,' but there was plenty of evidence that it's a spiffy grosser on its own.

'Wind' wound up third week at the Orph., still going strong, but M-G released it to the nabe stands because of hinterland squawks that the film would be milked in the Hub with more playing. 'Fantasia' is bullish in its third frame at the Majestic ($1.65 top) and looks like a two-months' run in prospect.

'Western Union' at the Met, and 'You're the One' at the Par and Fenway, are both on the strong side.

Estimates for This Week

Boston (RKO) (3,200; 28-33-44-55) —'Remedy Riches' (RKO) and 'Caught in Act' (Prod) with Bill Bardo band onstage, four days; and 'Army Girl' (Rep) (re-issue) and 'Blondie Cupid' (Col) (2d run), three days. Heading for okay $7,500. Last week, 'Aunt Maggie' (Rep) and 'Along Rio Grande' (RKO) with Fenton Bros. band onstage, four days; 'Grapes Wrath' (20th) and 'Stanley Livingstone' (20th) (both reissues), one day; and 'Forgotten Girls' (Rep) and 'Melody Ranch' (Rep), two days, added up to pleasing $8,000.

Fenway (M&P) (1,332; 28-39-44-55) —'You're the One' (Par) and 'Lone Wolf Date' (Col). Rather staunch, around $6,000. Last week, 'Honeymoon Three' (WB) and 'Behind News' (Rep), so-so $4,200.

Keith Memorial (RKO) (2,907; 28-39-44-55)—'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) (6th wk). Aiming at zippy $12,000 for six days. Fifth week of same combo, $15,200, big.

Majestic (Shubert) (1,014; 75-$1.10-$1.65)—'Fantasia' (Disney) (3d wk). Showing practically no let-down in pace, with prospect of hefty $14,500. Second week tallied $15,400, solid.

Metropolitan (M&P) (4,367; 28-39-44-55)—'Western Union' (20th) and 'Black Parrot' (WB). At $20,000 gait, big. Last week, 'Sierra' (WB) and 'Father's Son' (WB), $14,000.

Orpheum (Loew) (2,900; 28-39-44-55)—'Thing Called Love' (Col) and 'Nobody's Children' (Col). Opened strong and looks like dandy $18,000. Last week, 'Gone' (M-G), socked in $22,700 for third week.

Paramount (M&P) (1,797; 28-39-44-55)—'You're the One' (Par) and 'Lone Wolf Date' (Col). Around $7,500, good. Last week, 'Honeymoon Three' (WB) and 'Behind News' (Rep) $5,500, seedy.

Scollay (M&P) (2,538; 28-39-44-50) —'Go West' (M-G) and 'Chad Hanna' (20th) (both 2d run). Indicating $5,000, good. Last week, 'Second Chorus' (Par) (3d run) and 'Bagdad' (UA) (2d run), $4,500.

State (Loew) (3,600; 28-39-44-55)—'Thing Called Love' (Col) and 'Nobody's Children' (Col). Staunch $14,500. Last week, 'Flight Command' (M-G) and 'Keeping Company' (M-G), $18,500, socko.

The Big Splash Again

Hollywood, Feb. 11.

Johnny Weissmuller, sitting up in his jungle tree, is figuring on being a fish again, splashing about in a series of eight two-reel swimming pictures.

Deal is being dickered with Sports, Inc., producers of 16 mm shorts.

UNDER-WATER PIC

Otis Barton, who, with Dr. William Beebe, designed and constructed the 'bathysphere' to facilitate shooting under water pictures, has started production on a new feature, 'Under the Pacific.'

Producer financing himself, and is presently shooting at the Hawaiian Islands.

'THING' 8G, MONTREAL

'Howards' $6,000 — 'Hudson's Bay' H. O. Okay

Montreal, Feb. 11.

No stand-out currently. 'Hudson's Bay' repeat pacing for nice money, and 'Thing Called Love' pointing to very good $8,000, in front of the pack. Capitol has 'Howards of Virginia' with $6,000 in sight. Balance around average.

Estimates for This Week

Palace (CT) (2,700; 25-45-55)—'Thing Called Love' (Col). Good week-end biz pushing toward likely $8,000. Last week, 'Nanette' (RKO), $6,000, alright.

Capitol (CT) (2,700; 25-45-55)—'Howards Virginia' (Col) and 'Blondie Cupid' (Col). Nice $6,000 in sight. Last week, 'Victory' (Par) and 'Henry' (Par), fair $5,500.

Loew's (CT) (2,800; 30-40-60)—'Hudson's Bay' (M-G) (2d wk.). Good $6,000 ahead after $8,500 last week.

Princess (CT) (2,300; 25-34-50)—'Hullabaloo' (M-G) and 'Kildare's Crisis' (M-G). Sighting average $4,000. Last week, 'Little Men' (RKO) and 'Make Music' (RKO), $2,800, n.s.g.

Orpheum (Ind) (1,100; 25-40-50)—'Vigilantes' (U) and 'Sandy Man' (U). Pacing for fair $3,000. Last week, 'Night Tropics' (U) and 'Meet Wildcat' (U), $2,700, good enough.

Cinema de Paris (France-Film) (600; 25-50)—'L'Homme de Niger.' Average $1,500. Last week, third repeat 'L'Emigrante' off at $800.

St. Denis (France-Film) (2,300; 25-34)—'Je t'attendrai' and 'Bois Sacre.' Probably $6,000, good. Last week, 'Marseilles Mes Amours' and 'Derriere La Facade,' excellent $7,000.

'Vigilantes'-'Three' 8½G, Omaha, Light

Omaha, Feb. 11.

Grosses dipped this week for several reasons. Wind and cold sent the mercury tumbling close to zero on Thursday and Friday, opening days, while another damp blanket for the theatres came out of the east in the person of Sonja Henie and her ice show at the Coliseum. Result is that Orpheum with 'Trail of Vigilantes' and 'Honeymoon for Three' will do around $8,500 which is nothing to crow about in this house.

'Thief of Bagdad' and 'Little Bit of Heaven' at the Omaha will just about reach the $7,800 mark or perhaps $8,000, which also is just below fair. The Brandeis has 'This Thing Called Love' and 'Escape Glory' and will get around $3,200 for the second week.

Estimates for This Week

Orpheum (Tristates) (3,000; 10-30-40)—'Vigilantes' (U) and 'Honeymoon Three' (M-G). Will be lucky to get $8,500, light. Last week, 'Hudson's Bay' (20th) and 'Earl Carroll's' (Par), fair $9,000.

Omaha (Tristates) (2,000; 10-30-40) —'Bagdad' (UA) and 'Bit of Heaven' (U). Around $7,800 or slightly over. Last week, 'Philadelphia' (M-G), single-featured, pretty good $9,000.

Brandeis (Mort Singer) (1,500; 10-25-35-40)—'Thing Called Love' (Col) and 'Escape Glory' (Col) (2d wk.). Fair $3,200. Last week, good $6,000.

State (Goldberg) (900; 10-20-25)—'Tin Pan Alley' (20th) and 'Bittersweet' (M-G), split with 'Our Town' and 'Slightly Tempted' (U). Good $800. Last week, 'Northwest Mounted' (Par), single-featured, split with 'Blondie Cupid' (Col), 'Melody Ranch' (Rep), and 'Dulcy' (M-G), fair $700.

Town (Goldberg) (1,500; 10-20-25) —'Fugitive Prison Camp' (Col), 'Girl Avenue A' (20th) and 'Won't Talk' (Col), split with 'Riding Avenger' (Cap), 'Zero Hour' (Rep), and 'Murder Santa Fe' (Rep), 'Name Only' (RKO). Good $900. Last week, 'Wyoming Wildcat' (Rep), 'Honolulu' (M-G), 'Lone Wolf Date' (Col), split three ways with 'Law Rides' (Cap), 'Earl Chicago' (U), and 'Leopard Men' (Select), 'Fifth Ave.' (RKO), fair $800.

Avenue-Military-Dundee (Goldberg) (950; 300; 600; 25)—'Tin Pan Alley' (20th) and 'Bittersweet' (M-G), split with 'Our Town' (UA), 'Slightly Tempted' (U). Good $1,100. Last week, 'Northwest Mounted' (Par), single-featured, split with 'Man Married' (20th), 'Blondie Cupid' (Col), 'Dulcy' (M-G), fair $1,000.

L. A. Grosses Flabby; Disney 2d Great $15,500, Par Spook Dual 17G, 'Road Show' Pallid $12,000

Broadway Grosses

Estimated Total Gross

This Week **$379,900**

(Based on 13 theatres)

Total Gross Same Week

Last Year **$405,700**

(Based on 13 theatres)

'NIGHT,' $11,000, LUSH IN BUFF.

Buffalo, Feb. 11.

The current canto is actively demonstrating that there's still plenty potent pesos in the private exchequers of the local film fans—and practically all of the managements are busily engaged in pointing up the past fortnight's lessons on how they can be had. Hanging out ace cinema lure is the answer and not even the stormy misbehavior of Ole Man Winter has been able to clip the prevailing high altitude numerals.

'So Ends the Night,' dualed, is running up healthy digits at the Buffalo. 'Gone' is still grabbing laurels in fourth week of its phenomenal run at the Lakes. 'Mr. and Mrs. Smith,' in a twinner at 20th Century, will see neat coin, while 'Philadelphia Story,' in a unique holdover second-run session at the Hipp, is displaying extraordinary stamina.

Estimates for This Week

Buffalo (Shea) (3,500; 35-55)—'So Ends Night' (UA) and 'Maisie Lady' (M-G). Looks to nab good $11,000. Last week, 'Four Mothers' (WB) and Phil Spitalny orch, nifty $16,800.

Great Lakes (Shea) (3,000; 35-55) —'Gone' (M-G) (4th wk). Industry's wonder child will round out month with tall take of over $10,000. Last week, stout $14,000.

Hipp (Shea) (2,100; 30-45)—'Philadelphia Story' (M-G) and 'Wild Man Borneo' (M-G) (2d run-2d wk). Plenty of zing left. Looks like strong $8,000. Last week, fancy $9,800.

Lafayette (Hayman) (3,300; 30-40) —'Trail Vigilantes' (U) and 'Mme. LaZonga' (U). Outlook for nice $7,000. Last week, 'Invisible Woman' (U) and 'Margie' (U), good $7,500.

20th Century (Dipson) (3,000; 30-40)—'Smith' (RKO) and 'Saint Palm Springs' (RKO). Probably snug $8,500. Last week, 'One Crowded Night' (RKO) and Vincent Lopez on stage (3 days), split with 'Make Music' (RKO) and 'Lil Abner' (RKO), mild $7,000.

Los Angeles, Feb. 11.

(Best Exploitation: Paramount)

Grosses are on the downgrade currently, with only two of an even dozen first-runs in the five-figure category. 'Fantasia' is coming up with a terrific second week, leading with $15,500, which is around $1,500 better than regular biz of the first session. Paramount, with a horror show on screen (dual), plus a stage show, is garnering a very big figure at over $17,000.

'Tall, Dark, Handsome' is taking a nosedive at the State and Chinese, and with latter house limited to six-day week, due to being closed all day Saturday for Greek War Relief benefit at night, opus will be lucky if it hits a combined $13,000 on the stanza.

'Road Show' opened mildly at the Warners day-daters, while 'Thing Called Love,' with new supporting features, will do excellent $16,000 on second stanza at RKO and Pantages.

Paramount dug up a few out of the bag for exploitation of its horror show and profited. One of the stunts was having a gal garbed in a gorilla costume dragging another Fanchonette, garbed in a nightgown, through the streets and into department stores by the hair. Other Fanchonettes wore skeleton outfits and paraded the downtown streets. House made a deal with the News to replate front page of the paper and devoted entire space to the 'man runs amok' idea.

Estimates for This Week

Carthay Circle (F-WC) (1,516; 55-83-$1.10-$1.65) — 'Fantasia' (Disney) (2d wk). Jumped somewhat on regular biz over first week, and should grind out big $15,500. Last week, including $5,000 annexed at preem, wound up with $17,300.

Chinese (Grauman-F-WC) (2,034; 30-44-55-75)—'Tall, Dark' (20th) and 'Keeping Company' (M-G). Run limited to six days, due to benefit (8). Very weak $5,200. Last week, 'Live With Me' (M-G) and 'Liberty' (M-G), about $8,500.

Downtown (WB) (1,800; 30-44-55) —'Road Show' (UA) and 'Behind News' (Rep). Lukewarm $6,200. Last week, 'Sierra' (WB) and 'Couldn't Say No' (WB) (2d wk), good $7,100.

Four Star (UA-F-WC) (900; 30-44-55)—'Cheers Bishop' (UA) (4th wk). Public just not sufficiently interested and $2,400 best in sight. Third week ended with fair $3,000.

Hollywood (WB) (2,756; 30-44-55) —'Road Show' (UA) and 'Behind News' (Rep). Opening very inauspicious; garnering around $5,800. Last week, holdover of 'Sierra' (WB) and 'Couldn't Say No' (WB), okay $6,100.

Orpheum (B'way) (2,200; 30-44-55-75)—'Third Floor' (RKO) and 'First Romance' (Mono), plus stage show. House back to normal with probable $8,100 in sight after terrific $20,000

(Continued on page 16)

'VIRGINIA' A NATURAL IN MEMPHIS, $7,500

Memphis, Feb. 11.

With both Loew's houses still on the h.o. list, week's only newcomers are in for a flourishing stanza. Paramount's 'Virginia' is good at the New Malco. 'Strawberry Blond' shows abundant pull at the Warner.

'Gone with the Wind' is sagging in its third Loew's State week, but still getting fair share of shekels. Repeat week for 'Philadelphia Story' at Loew's Palace is fair.

Estimates for This Week

Loew's State (Loew) (2,600; 25-40-55)—'Gone' (M-G) (3d wk). Looks like $3,500. Last week, $8,200, big.

Warner (Warner) (2,300; 10-33-44) —'Strawberry Blond' (WB). Cagney-Sheridan combine going strong to $7,000. Last week, 'Give Wings' (U), $3,500, not bad under circumstances.

New Malco (Lightman) (2,800; 10-33-44)—'Virginia' (Par). Picture's natural Southern appeal plus b.o. names and critical raves spurring it to $7,500. Last week, 'Invisible Woman' (U) (5 days), $2,700, weakish.

Loew's Palace (Loew) (2,200; 10-33-44)—'Phila Story' (M-G) (2d wk). Probable $3,500. Last week, $9,000, great.

Strand (Lightman) (1,000; 10-22-33)—'Arkansas Judge' (Rep), three days; 'Where Get Girl' (U), two days, and 'In Old Colorado' (Par), two days. So-so week may wind up with $1,600. Last week, 'Thing Called Love' (Col), three days; 'Phantom Submarine' (Col), two days; 'Devil Commands' (Col), two days; $1,700, about as expected.

'Tall'-'Folies' $21,000, Cleve.

Comedies Getting the B.O. Breaks—'Smith' and 'Philly' Each $13,000

Cleveland, Feb. 11.

Curious situation created by all four key houses playing sophisticated comedies, with each one displaying heavy power. But there's enough gravy to give everybody a big spoonful.

'Folies Bergere of 1941' is adding plenty of b.o. spice to RKO Palace's bill, seasoned by 'Tall, Dark, Handsome' to make hottest dish of this sesh. 'Philadelphia Story' doing smartly at next door State with $13,000 on tap.

Hipp's 'Mr. and Mrs. Smith' also doing surprisingly good biz, proving that Grotto's circus in civic auditorium is no competish this semester. Two holdovers, 'Gone' on fourth round at Stillman, and 'This Thing Called Love' on third at Allen, hitting top-shelf figures.

Estimates for This Week

Allen (RKO) (3,000; 30-35-42-55)—'Thing Called Love' (Col). Shiftover pointing to amazingly fine $6,000 on third lap after a sizzling $8,200 on second.

Hipp (Warner) (3,700; 30-35-42-55) —'Mr. and Mrs. Smith' (RKO). Possible $13,000 plus, excellent enough for a h.o. Last week, (Sierra' (WB) okay at $11,200.

Palace (RKO) (3,200; 30-35-42-55-66)—'Tall, Dark' (20th) with 'Folies Bergere' unit on stage. Celluloid side of this combo holding up its end nicely, with leg-show yanking in week-end standees. In line for sweet $21,000 if cold spell snaps. Last week, 'Escape Glory' (Col) with Cab Calloway orchestra and Mills Bros., $19,800.

State (Loew's) (3,450; 30-35-42-55) —'Philadelphia' (M-G). Very worthwhile $13,000 on tap. Last week, 'Bagdad' (UA), a real surprise, $13,900.

Stillman (Loew's) (1,972; 30-35-42-55)—'Gone' (M-G). Still copping $6,000 for fourth week, after reaping $9,800 on third and $23,900 on previous stanza at State.

Showdown on Chaplin's Film In Argentina; Now Appears B.A. Ban on 'Dictator' Will Be Lifted

Buenos Aires, Feb. 11.

Ban on the local showing of Charles Chaplin's 'Great Dictator' in Buenos Aires is expected to be lifted in a few days. This is a result of public demonstrations and other exhibitions of feeling by the people here against the nix imposed at the demand of the German and Italian ambassadors.

There was also a debate in Congress on the issue, which is understood to have been instrumental in causing the ban to be lifted.

Picture, which was being shown in Parana, a town in Argentina outside of the Buenos Aires district, was halted on Friday (7) pending further official reviewing.

Despite official nixing by the Argentine government and continued protests by the totalitarian powers, Charles Chaplin's 'Great Dictator,' now showing in this country, indicates it's becoming more and more important as an international incident.

Chief question is whether or not the original Buenos Aires ban extends to all parts of the country and if the national government has the power to tell individual municipalities what to do. Argentina, which has no national censorship and a guarantee of free speech similar to that of the U. S., has never before been faced with such a problem.

Newspapers here carry long discussions about the legal issues involved, and the strong attitude of the mayor of Parana, the small northern city where the pic is being shown, indicates this may be a once-and-for-all showdown.

Originally, the pic was approved by Dr. Carlos Alberto Puerreydon, mayor of B. A., and then banned after the Italian ambassador called on Minister of Foreign Affairs Julio A. Roca, who passed it on to Minister of the Interior Miguel Culaciati. Despite avowed pro-Ally sympathies of both and of Puerreydon, they felt their hands tied and finally Puerreydon issued a decree prohibiting showings in B. A.

In the past, whenever films have been banned in B. A., which is a federal district like the District of Columbia, no exhib outside would take a chance on shewings. What happened in this case was that the Rosenbach interests, owners of the Rex and Select theatres in Parana, apparently sounded out local opinion and asked if they could have a chance at the film. The mostly affirmative answer resulted in the Parana double opening.

'Excessive' Pay of Theatre Workers, Equaling That Of Army Officers, Assailed

Mexico City, Feb. 11.

Campaign against what it styles 'the unjustly high wages forced upon cinema operators here by the militarized brigades of Vicente Lombardo Toledano (Mexico's labor czar, boss of the Confederation of Mexican Workers)' has been started in the form of public announcements by the National Party for Administrative Purification, new political organization.

Lombardo Toledano's workers, who are on the exhibitors' payrolls, get daily stipends that compare favorably with those of high Mexican army officers, the Party asserts. It reports a few of these comparative wages:

Porters, $9.50 (daily pay of an army first captain is $8.50 (Mex); doorman, $14 (same pay as an army lt. col.); boxoffice help, $19.50 (Mex) (brigadier general, $22), and projectionists, $29.50 (general of division, highest rating in the Mexican army, $32 (Mex).

Slash Jap Pic Programs

Tokyo, Jan. 11.

The three-hour program for motion picts in Japan has been cut to 30 minutes by a revision of the motion picture law.

Films designated by the government, and culture films of a length of over 750 reet, obtain 30-minute extensions.

A Little More Canadian Coin Seeps Into U. S.

Detroit, Feb. 11.

It's only a trickle but a little more Canadian money has started to show up on this side of the border. Picture houses in the downtown area, which had lost 90% of the once good flow of Canadian coin from Windsor and other border cities, report that the pickup has run to 50% of the old business on good shows.

Reason for the new spurt of business lies in two factors. The Canadian Government, which had slapped down hard on the taking of money out of the Dominion, recently lightened up its rulings to permit visitors here to bring across $5. However, they must declare how much they're taking and if they're caught with more, they are being socked heavy fines, prison sentences also threatened.

It is the severity of the rules which has brought on the additional reaction. The Canadians in the Windsor sector are burned plenty by the limit on their American spending—on the q.t. they are saying 'It's as bad as Germany'—and when they get the chance are expressing their disapproval of the stringent law by taking $5, coming to Detroit and spending to the last nickel. Most of the money has to go to amusements since the ban is on most products they would purchase to take home.

That $5 for shows, niteries and drinks, also is an expression of their disapproval of the entensive ban on 'American luxuries' which cut them off from many amusement devices such as radios, musical instruments, records and record players to name only a few things.

LYNCH PRO-NAZI SON OF ROLF, NORSE STAR

Stockholm, Feb. 11.

Sven Erik Rolf, son of the Scandinavian revue actor-manager, known in Hollywood as Ernst Rolf, was killed by an angry mob of patriotic Norwegians at Drammen, as he was attempting to make a pro-Quisling speech according to word received here. Young Rolf appeared as singer in Norwegian and Swedish revues but was best known as a Quislingist and Nazi.

Rolf reportedly challenged a crowd of Norwegian patriots at a politico meeting Lynching was threatened and Rolf begged for mercy but promise to abandon the Quisling group came too late, and he was killed by the mob.

William Carroll's Juker

Havana, Feb. 11.

William Carroll, who, with his brother Jacob, was with UFA in Germany for years, has Cinetone musical juker, for this territory. Carroll with his wife are on the Polish quota and can enter the U. S. as immigrants this year. They've been here two years.

He may, however, continue headquartering here in view of the growing vogue of the jukers which are now spotted in big and small spots, more than ever before.

French film, 'Arlette and Her Papas,' must be strictly for adults, Mexico City civic fathers have ordered.

London in Wartime

London, Jan. 17.

Oscar Rabin and band in big blitz in Yorkshire town and left their theatre dressing room five minutes before it was hit by bomb. But Rabin managed to escape from theatre with minor cuts to his face, while a member of his orchestra suffered greater injuries, necessitating his being detained in the local hospital for several days.

Southern Ireland's ban on the showing of 'The Great Dictator' has resulted in the folks going up to Belfast to the pic.

Associated Talking Pictures, controlling Ealing Studios production outfit, list a net profit of $104,000 for year ended June 30. Gross was $227,100.

Going into 'Once a Crook' are Bernard Lee, Frank Pettingell, Kathleen Harrison, Frank Forsyth, Raymond Huntley, in addition to principals Gordon Harker and Sydney Howard. Herbert Mason directs this second on the list for 20th.

Bernard Lee and Carla Lehmann added to cast of 'Once a Crook,' 20th's quota job from Shepherd's Bush studios. Former obtained special leave from army to complete the role in a rush seven days. Cyril Cusack, from Abbey theatre, was contracted for support.

MEX CITY TAXES EASED TO AID SHOW BIZ

Mexico City, Feb. 11.

Agreeing with showfolk and the National Syndcate of the Amusement Industry (nee Mexican Theatrical Federation) that Mexico must have a theatre because a portion of the public wants it and many persons depend upon the stage for a living, the federal and municipal governments have come to the aid of thespians.

Theatre impresarios here, most of them operators of revue and vaudeville houses, have convinced the municipal government that if the tax boost for them, 7% to 14% on gross, which was to have gone into effect Feb. 1, were enforced, they would be forced out of business. Javier Rojo Gomez, mayor of this city, ordered that these levies be suspended and that the theatres continue to pay the 1940 tax scale.

In letting the stagemen off Mayor Rojo Gomez asserted that he and his government are eager to cooperate with what President Mauel Avila Camacho is doing to keep the theatre going in Mexico. The president, after listening to the pleas of representative thespians and theatre impresarios that show business is a 'must' for Mexico becai se of its great cultural aid, appointed a 'technical cultural council for theatrical entertainments.' This council has jurisdiction over all theatrical diversions in the Federal District, including Mexico City.

Council is headed by Guillermo Hernandez, noted boxing promoter, who is now chief of the civic amusements department, and is composed of leading folk who are players or are experts in theatre lore. Organization is to function until next Jan. 31, and is developing an ambitious program for federal and municipal aid to stimulate the theatre in all its branches.

Isidore Ostrer in N. Y. To Set GB Prod. Deals

Isidore Ostrer, chairman of the Gaumont-British, Ltd., arrived in New York this week from London by Clipper plane on biz trip and brief vacation.

Ostrer likely will set deals here for distribution of his company's product, including one in Australia. Plans being in U. S. about a month.

Mexican Pic Producers, Union Boss End 10-Week Dispute; Pact Restricts Solis, Provides for 2 Soundmen Orgs

Mexico City, Feb. 11.

Pic production has resumed after a shutdown of 10 weeks with the ending of the conflict between the makers and Enrique Solis, boss of section 2 (producers) of the national pic workers union. The producers quit when they accused Solis in a series of open letters of running the industry for his own profit and of discriminating against an American sound engineer for his own man on a Mexican pic. The union hit back at the producers in more open letters and stoutly championed Solis.

Producers and labor got together after a parley here that lasted for 12 hours. Pact was penned for the union by Solis and some other officials and for the producers by Fernando De Fuentes, Jesus Grovas and Bernando Urbie Montasido Oca. agreement has been officially recorded by the Federal Board of Conciliation and Arbitration.

Nevertheless, Alfonso Sanchez Tello, whose objection to Solis' rejection of A. Kroger, the American soundman, caused the break between the producers and the union, in dropping out of the producers' association, declared that he is through with pix in Mexico forever because labor wrangles give him a big headache. Sanchez Tello was one of the most important Mexican pic producers.

The peace pact stipulates that Solis pretty much keeps his hands off the sound phase of the biz and provides for organizing the 12 sound engineers and their aides in Mexico into two groups of six members each, one to use RCA apparatus exclusively and the other to work entirely with 'independent' or other kinds of equipment. Producers are to employ both groups of technicians on a rotation system. But the makers are allowed to have full say as to which engineers and aides they want for any particular pic.

Producers and laborites wrote into the pact a clause which pledges them to 'enthusiastically work for greater and better production of Mexican pictures, because they are excellent propaganda, not only for the industry, but for the country in general.'

When this agreement was signed Solis immediately ordered the nixing of the strike he had ordered against Jesus Grovas, ex-Par exec here, because this producer couldn't see the boss demand that he put on four extra workers and pay them each what he considered to be the sky-high wage of $25 (Mex) daily ($5 U.S.).

New Mex Vauder

Mexico City, Feb. 11.

New vaude-revue theatre, Teatro Balalaika, has been opened downtown by Lupe Rivas Cacho, comedienne, who is still going strong after 30 years of trouping.

La Cacho has in her company some of the biggest Mexican variety and radio stars. Her theatre brings to five the number of front line revue-vaude houses now active here.

'Gone' Sock 15G, 1 Spot, Mex City; Spotty at Second

Mexico City, Feb. 11.

'Gone With the Wind' (M-G) scored a smash here, but an uneven click, in its first week of novelty presentation, simultaneously at the deluxe Alameda and Iris. The public is going for this pic in a way bigger, seemingly, than for any pic, though ballyhoo and publicity are rather limited. Cricks were agog, but not to a great deal of space.

'Gone' is blowing along pretty much on the strength of the months of publicity it has had from exhibitions in the U. S., news that has blanketed Mexico. So it is no trouble at all for the exhibitors.

'Gone' did much more than was expected of it during its first week at the Alameda, setting up the exceptional gross of $75,000 (Mex) ($15,000 U. S.), $20,000 (Mex) more than any pic has ever done in seven days in Mexico. Though no exact figures are available regarding 'Gone's' first week at the Iris, the intake at that cinema was much less than at the Alameda. There is scant information as to the reasons for this uneven biz. 'Gone' rates at both cinemas are $2.50 (Mex) (50c U. S.) afternoons and $3 (Mex) (60c U. S.) nights and holidays. Two pesos—about 40c—is very high for a pic here. Film's charges will not be varied during the entire run at both cinemas.

'Spring Parade' (U) doing big b.o. in Mexico City.

"All This and Heaven, Too' (WB) is on its way to establishing a record run at one stand in Mexico City. Pic is now in its fifth week at the Cine Rex, the longest time any pic has played a single cinema there.

AUSTRALIAN FILM BUSINESS STRONG

Sydney, Jan. 20.

Despite wartime, trade throughout this zone with U. S. and other product is terrific.

Top takes include 'Dictator' (UA), '40,000 Horsemen' (U), 'Spring Parade' (U), 'Northwest Passage' (M-G), 'Thief of Bagdad' (UA), 'Knew What They Wanted' (RKO), 'Pride and Prejudice' (M-G).

'Blue Bird' (20th) is very strong on mats, and repeat of 'Snow White' (RKO) likewise.

Melbourne Booming

Melbourne, Jan. 20.

Trade strong here with 'Irene' (RKO), 'Sea Hawk' (WB), 'New Moon' (M-G), 'Andy Hardy Meets Debutante' (M-G), 'Dulcy' (M-G), 'Convoy' (ATP), 'Four Sons' (20th), 'Tom Brown's Schooldays' (RKO).

N. Z. Okay

Auckland, N. Z., Jan. 20.

Territory is highlighted with 'Northwest Passage' (M-G), 'Spring Parade' (U), 'Convoy' (ATP), 'Night Train' (M-G), 'Foreign Correspondent' (UA), 'Lucky Partners' (RKO).

Producer, 20, Star, 15, Arouse Wide Interest In S.A. on $10,000 Pic

Buenos Aires, Feb. 11.

Full-length feature, produced and directed by a 20-year-old and starring a leading lady five years younger, has just been completed in Chile and is arousing wide interest throughout South America.

Pic is 'Amanecer de Esperanza' ('Dawn of Hope') and the work of Miguel Frank, son of a wealthy Chilean family. It cost 400,000 Chilean pesos, which, though it only translates into about $10,000 U. S., is a lot of coin over there. Singing heroine, Maria Eugenia Guzman, currently here, is daughter of Consuelo de Guzman, singer who has given concert tours in U. S., Europe and the Orient and made over 300 discs for Columbia. Mother now teaching at Instiuto de Belles Artes de Chile in Santiago.

Frank is planning another to be started in April and featuring same stars, including German Castro Oliveira, Ruben Dario Quevear and Rogel Retes. 'Amanecer' will be distributed throughout S. A. by Leo Film, handlers of the French 'Baker's Wife' on this continent.

Chile, which once held lead in S. A. film production, now does little pixmaking, most efforts being special jobs ground out when someone puts up enough cash.

MEMPHIS, WARNER
HARTFORD, STRAND • READING,
AS OR • SPRINGFIELD, MASS., CAPITOL
LOS A ELES, HOLLYWOOD & DOWNTOWN
PROVIDEN E, MAJESTIC • PHILADELPHIA, FOX
LOUISVILLE, ARY ANDERSON • LANCASTER, GRAND • SANTA BARBARA,
GRANADA • CANTON, COLONIAL • WORCESTER, WARNER • HARTFORD, REGAL
NEW HAVEN, ROGER SHERMAN • SAN BERNARDINO, FOX • NEW BEDFORD, STATE • NEW
LONDON, GARDE • WATERBURY, STATE • BRIDGEPORT, WARNER • NEW BRITAIN, EMBASSY
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CAMEO • WILLIAMSPORT, RIALTO • NASSAU, NASSAU • RUSSELLVILLE, RITZ • BOULDER, BOULDER
FALMOUTH, ELIZABETH • LANSFORD, PALACE • NASHUA, STATE • GREELEY, CHIEF • CONCORD,
CAPITOL • WATERVILLE, HAINES • HELENA, PARAMOUNT • MAUSTON, GAIL • ODESSA, LYRIC
ANSONIA, CAPITOL • ABERDEEN, WARNER • McCANNEY, GRAND • ST. JOHNSBURY, STAR
SANDUSKY, OHIO • SO. NORWALK, PALACE • NASSAU, CINEMA • MANCHESTER, STATE
ITHACA, STATE • QUANAH, PALACE • NEW ORLEANS, ORPHEUM • PORTLAND, ME.,
STATE • COLO. SPRINGS, CHIEF • BRIDGETON, MAYFAIR • RACINE, VENETIAN • TROY,
TROY • ARKADELPHIA, ROYAL • PUEBLO, CHIEF • GUTHRIE, MELBA • HENRYETTA,
BLAINE • SHEBOYGAN, SHEBOYGAN • CHICKASHA, RITZ TUPELO, LYRIC
PHOENIX, RIALTO • MARSHALLTOWN, CAPI OL • GALVESTON, STATE
HENDERSON, KENTUCKY LIVERMORE ALLS, DREAMLAND
CLEVELAND, HIPPODROME • WAUSAU, GRA HAVANA,
LAWFORD • NORWAY, REX • GRAND JUNC ON, MESA
HOT SPRINGS, PARAMOUNT • CLOVIS, LYC UM
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PALACE

They Love It!

WARNERS' STRAWBERRY BLONDE

BOOKED IN AHEAD OF EVERYTHING —EVERYWHERE THIS WEEK!

JAMES CAGNEY • OLIVIA DE HAVILLAND

in 'THE STRAWBERRY BLONDE'

with Rita Hayworth and

ALAN HALE • JACK CARSON • GEORGE TOBIAS

Screen Play by Julius J. and Philip G. Epstein • From a play by James Hagan

Directed by RAOUL WALSH

BACK STREET

Hollywood, Feb. 5.

Universal release of Bruce Manning production; associate producer, Frank Shaw. Stars Charles Boyer, Margaret Sullavan. Directed by Robert Stevenson. Screenplay by Bruce Manning and Felix Jackson, based on novel by Fannie Hurst; camera, William Daniels; editor, Ted Kent; director, Seward Webb. Previewed in studio Projection Room Feb. 4, '41. Running time: 89 MINS.

Walter Saxel....Charles Boyer
Ray Smith....Margaret Sullavan
Curt Stanton....Richard Carlson
Ed Porter....Frank McHugh
Richard Saxel....Tim Holt
Harry Niles....Frank Jenks
Mrs. Smith....Esther Dale
Felix Darren....Samuel S. Hinds
Freda Smith....Peggy Stuart
Elizabeth Saxel....Nell O'Day
Mrs. Dilling....Kitty O'Neil
Corinne Saxel....Nella Walker
Mrs. Miller....Cecil Cunningham
Mrs. Adams....Marjorie Gateson
Miss Evans....Dale Winter

Second picturization of Fannie Hurst's novel—first turned out in 1932 with John Boles and Irene Dunne under direction of John Stahl—retains all of the tear-jerking qualities of the author's original work. It's a topnotch attraction for the women, and with marquee names of Margaret Sullavan and Charles Boyer for lighting, will prove a strong and highly profitable b.o. magnet.

Universal has provided a class A production background on which to weave a straightforward and logical drama of a woman's love and devotion for one man over a span of years—and her complete willingness to remain in the shadowy alleys of his life. Generating strong sympathy for the plight of a woman unable to enjoy the security of marriage, picture carries hefty dramatic punch.

New version of Back Street' varies but slightly from the original. There are a few spots where the present Hays code requires toning down of relations between man and mistress as presented in the Stahl version; but the story still retains its full dramatic intensity.

Margaret Sullavan is the girl who, at the turn of the century, provides innocent diversion for the visiting drummers on their stopovers in Cincinnati. Meeting young banker Charles Boyer, pair engage in a sincere romance which shatters when she fails to meet him at the river boat departure, where he had made preparations for a surprise marriage. Pair meet again in New York five years later, and their love affair is intimately resumed without benefit of clergy, due to his marriage bonds. For a quarter of a century, Miss Sullavan is content to remain in the background of Boyer's life, happy to counsel and encourage him to great success. The tragic ending, with Boyer suffering a stroke while on a European financial mission, is retained.

Miss Sullavan delivers a strong and sympathetic characterization as the most willing victim of love and devotion. Boyer provides a deft and restrained portrayal of the man willing to share his time and affections between wife and mistress. Richard Carlson is seen briefly to advantage as the boyhood sweetheart who rises to become an automotive tycoon and just misses marrying the girl. Frank McHugh, Tim Holt, Frank Jenks, Esther Dale and Samuel S. Hinds provide competent support.

Picture is first producer effort of Bruce Manning, ace writer on the Universal lot for several years. He doubled with Felix Jackson in providing an excellent script of Fannie Hurst's novel. Robert Stevenson piloted at a leisurely pace, highlighting the contrasts and dramatic tone of the story without recourse to theatrical dramatics, and delivers an effective job. Photography by William Daniels is of high standard.

Walt.

Trial of Mary Dugan

Metro-Goldwyn-Mayer release of Edwin Knopf production. Features Laraine Day and Robert Young. Directed by Norman Z. McLeod. Based on play by Bayard Veiller; camera, George Folsey; editor, George Boemler. Previewed in Projection Room, N. Y., Feb. 10, '41. Running time: 87 MINS.

Mary Dugan....Laraine Day
Jimmie Blake....Robert Young
Edgar Wayne....Tom Conway
Gertrude Wayne....Frieda Inescort
Mr. West....John Litel
Agatha Hall....Marsha Hunt
Mrs. Collins....Marjorie Main
Galwey....Henry O'Neill
Miss Matthews....Sara Haden
John Masters....Francis Pierlot

This new film version of Bayard Veiller's exciting courtroom melodrama might better be titled, 'The Re-trial of Mary Dugan.' Most of the evidence is new, many of the characters have changed their testimony and Metro has shifted the proceedings, under a change of venue, from the criminal division of the N.Y. Supreme Court to a tribunal in Los Angeles. The screen transcript presents the very personable Laraine Day, as Mary, in the studio's plan to extend her popular following. It is the same role in which Norma Shearer, in 1929, was transported from silent to sound pictures. With Robert Young, as the youthful attorney for the defense (he no longer is the heroine's brother, but her sweetheart); and a supporting cast of effective players, the picture is something less than outstanding, although of sufficient entertainment quality to fit into the groove of first run duals.

In the 12 years which have elapsed since Miss Shearer tearfully told on the witness stand of a life of shame in the big city, a new generation of theatre-goers has grown to box-office age. They will judge the film for what it is, without embarrassment of plot comparisons.

It is obvious that the story revisions are the result of the stringent provisions of the production code of higher morals and less human drama. In the Veiller play Mary took the witness stand in her own defense of the charge of murdering her lover and told how she willingly had gone the easiest way in order to pay for the education of her brother in a western law college. That the youth had injected himself into the trial as his sister's counsel heightened the drama. In the new version Miss Day is as driven snow, with a stenographic past, and Robert Young is just one of the bright young attorneys on the corporation's legal staff who is in love with the boss's secretary. It is all logical and works out to the same happy ending of Mary's acquittal. But it isn't very moving.

Miss Day, best remembered from 'Foreign Correspondent,' has a very engaging screen manner and the ability to handle romantic scenes convincingly. These passages and her good looks make her contribution very satisfactory. Young also is wholly convincing and an able trial strategist, and if so much of the strength of his role had not been deleted by the anonymous adapters, his playing might have shown favorably with the impressive performance given in the stage version by the late Rex Cherryman.

Standout in support is Marjorie Main, playing a cop-hating landlady, whose testimony at the trial and an earlier enactment of her discovery of the murdered man are hilariously funny. Tom Conway plays the misunderstood husband, later the corpus delicti; Frieda Inescort is the unfaithful wife, and John Litel is the heavy, who betrays himself as the real murderer when he instinctively reveals himself to be left-handed. It having been proved that only a southpaw could inflict the mortal knife stab.

Film is mounted with care and taste, and the production is technically first class. Norman Z. McLeod directed and succeeded in keeping the action well paced. George Folsey's photography is excellent, and his courtroom scenes dramatically reproduced.

Picture succeeds in its main purpose of projecting Miss Day into wider fields.

Flin.

Honeymoon for Three

Warner Bros. production and release. Stars Ann Sheridan and George Brent; features Charlie Ruggles, Osa Massen, Jane Wyman, William T. Orr, Lee Patrick, Walter Catlett. Directed by Lloyd Bacon. From play of same name by Alan Scott and George Haight; adaptation, Earl Baldwin, Julius J. and Philip G. Epstein; editor, Rudi Fehr; photography, Ernie Haller. At Strand, N.Y., week Feb. 7, '41. Running time, 63 MINS.

Anne Rogers....Ann Sheridan
Kenneth Bixby....George Brent
Harvey Wilson....Charlie Ruggles
Julie Wilson....Osa Massen
Elizabeth Clochessy....Jane Wyman
Arthur Westlake....William T. Orr
Mrs. Pettijohn....Lee Patrick
Walter....Walter Catlett

A light farce comedy which fails to be more than moderately entertaining, 'Honeymoon For Three' is a doubtful entry for the more important first-run houses. It doesn't look like it cost a great deal, thus with whatever pull the Ann Sheridan-George Brent names may have, it has a chance to make some money for its producer.

Somewhat on the wacky side, script is based on a play by Alan Scott and George Haight that was produced eight years ago. It concerns a novelist who comes to Cleveland on a lecture tour and runs into an old college flame who since has settled down with a henpecked type of husband in the person of Charlie Ruggles. In complicating the situation, the novelist carries his own secretary with him. She's Ann Sheridan. In addition to being George Brent's loyal secretary and fiance, she is around him so much in his hotel suite that she might also be regarded as filling a valet's shoes.

In preparing the treatment, the three writers assigned to do it have decided to take nothing serious, however, and with that slant planted anything is forgiven in the effort, also by director Lloyd Bacon, in getting laughs out of the action. Occasionally situations develop for better than average fun, including that scene in the restaurant, but on the whole the picture is quite thin.

Title seems to have no connection with the plot but it may help attract on marquees, together with ad copy or exploitation built around it as an interest-inciter.

Long tagged as the oomph girl by the Warner publicity forces, Miss Sheridan has plenty of s.a. but as a secretary who has a job on her hands in Brent she plays it in a subdued fashion. Brent is himself, seldom varying on performance, and does well.

An exciting personality is the lovesick Osa Massen, who chases Brent all over the lot with total disregard for her own hubby. She's a Danish lass with a slight but ingratiating accent who appeared in only one picture before. That was for Paramount. Will probably be heard from a lot.

In addition to Ruggles, who digs out some laughs, supporting players include William T. Orr as an ambitious lawyer, Jane Wyman, Lee Patrick and Walter Catlett. Last-mentioned is very funny as a waiter in the one sequence in which he appears.

Char.

Miniature Reviews

'Back Street' (Univ). Margaret Sullavan and Charles Boyer starred in remake. Strong triangle drama will hit hefty grosses.

'The Trial of Mary Dugan' (M-G). Remake of stirring melodrama, good for first run duals.

'Honeymoon For Three' (WB). Ann Sheridan and George Brent starred in romantic farce comedy that's on the light side.

'Road Show' (Hal Roach-UA). Ineffectual comedy for secondary duals.

'Scattergood Baines' (RKO). First of stories successful enough to warrant new family series. Guy Kibbee scores in title role.

'Ride Kelly Ride' (20th). Poorly concocted racetrack picture never gets away. Filler for secondary duals.

'Meet the Chump' (U). Hugh Herbert in familiar antics will get by as comedy dual support in the family houses.

'Face Behind the Mask' (Col). Peter Lorre in a distasteful horror story with limited possibilities.

'Fargo Kid' (RKO). Not up to first Tim Holt westerner, but still oke for the kids.

'Petticoat Politics' (Rep). Weak comedy dealing with crooked politics, another in the Higgins Family series.

'Caught in the Act' (PRC). Henry Armetta lost in star role of minor dualer, strong enough only for subsequents.

'Wildcat of Tucson' (Col). Not one of Bill Elliott's best hoss operas.

ROAD SHOW

(WITH SONGS)

Hollywood, Feb. 6.

United Artists release of Hal Roach production, directed by Roach; associate producers, Gordon Douglas and Hal Roach, Jr. Features Adolphe Menjou, Carole Landis, John Hubbard. Screenplay by Arnold Belgard, Harry Langdon, Mickell Novak, based on novel by Eric Hatch; camera, Norbert Brodine; photographic effects, Roy Seawright; editor, Bert Jordan; asst. director, Bernard Barr; songs, Hoagy Carmichael. Previewed at Warners Hollywood, Feb. 5, '41. Running time, 85 MINS.

Col. Carleton Carraway....Adolphe Menjou
Penguin Moore....Carole Landis
Drogo Gaines....John Hubbard
Harry Whitman....Charles Butterworth
Jinx....Patsy Kelly
Indian....George E. Stone
Priscilla....Margaret Roach
Helen Newton....Polly Ann Young
Ed Newton....Edward Norris
Alice....Marjorie Woodworth
Mrs. Newton....Florence Bates
Willie....Willie Best
The Charioteers....Themselves
Dr. Thorndyke....Paul Stanton
Stanhope....Ten Stanhope
Sheriff....Clarence Wilson
State Trooper....Lane Chandler
Drunk....Jack Norton

This one starts out with promise of some good solid laughs, but quickly hits a detour into ancient film technique. Picture will mildly satisfy as supporting fixture for secondary and family dualers.

Hal Roach retains all of the old-fashioned ideas of comedy technique in his direction and, as a result, picture is a disjointed hodge-podge of situations aiming at comedy peaks but seldom achieving that aim. Many oldies, including an over-footage chase and the loose lion vs. scared colored hostler episode, are dragged in without much attempt to refurbish the formula.

Story is a synthetic and extended tale of a rich playboy and the girl owner of a motorized carnival. John Hubbard is the young millionaire, who is tossed into a private mental institution. He meets half-cracked Adolphe Menjou there, and the duo escape to find refuge in the carnival menage. Girl meets boy, and there's series of minor attempts at comedy to string things along for sufficient footage and running time.

Menjou constantly prods proceedings with zany and nutty lines and situations while Patsy Kelly, George E. Stone, Charles Butterworth and Willie Best provide a few comedy moments in their constant attempts to overcome the antiquated material and direction.

Picture incorporates three new songs by Hoagy Carmichael. The Charioteers, colored quartet, harmonize them to good effect, while Carole Landis delivers 'I Should Have Known You Years Ago,' best of the Carmichael numbers.

Walt.

Scattergood Baines

RKO release of Jerrold T. Brandt production. Features Guy Kibbee, Carol Hughes, John Archer, Francis Trout, Emma Dunn, Lee White. Directed by Christy Cabanne. Screenplay by Michael L. Simmons, Edward T. Lowe, based on Clarence Budington Kelland's 'Scattergood Baines' stories; edited by Henry Berman; camera, Jack Mackenzie; music, Constantin Bakaleinikoff; assistant director, John Burch. Previewed in Projection Room, N. Y., Feb. 10, '41. Running time, 69 MINS.

Scattergood Baines....Guy Kibbee
Helen Parker....Carol Hughes
Johnny Bones....John Archer
Pliny Pickett....Francis Trout
Mirandy Baines....Emma Dunn
Ed Potts....Lee (Lasses) White
Clara Potts....Fern Emmett
Crane....Edward Earle
McKettrick....Bradley Page
Keith....Joseph Crehan

'Scattergood Baines' looks like a highly profitable new series for RKO judging by this initial production. Picture carries more potential box-office than any recent No. 1 in these family or homespun groups. It follows the fictional 'down-eastern' character Clarence Budington Kelland created closely enough to make his readers happy. Of chief exhibitor interest is that this first vehicle carries the appeal to whet interest in subsequent subjects. Geared for sizeable grosses, with most business coming out of subsequents where it will fit as first-rate upper-bracket picture or strong secondary on twin combos.

Ready-made audience of thousands is assured the exhib because the Scattergood Baines yarns have been running for years in the American Magazine, and lately have developed a following on the radio.

Film takes Baines, the wanderer, and dumps him down in Coldriver, a New England one-horse village. That ends his wanderings, story from then on concerning the rise of Baines as the 'sage of Coldriver' and leading community figure. While he prospers and regards his own branchline railroad as his own child, Scattergood still retains the confidence of his neighbors. From this basic yarn, director Christy Cabanne has concocted a homespun meller that sustains remarkable interest. Enough of Baines' homey observations have been retained to carry punch.

Kibbee, in the title role, portrays a loveable, clear-thinking small-town merchant. Characterization is ideally suited to him, with his performance warranting star billing. Jerrold T. Brandt's first production, he has provided it with essential values and has exercised zealous care in picking the cast. Best supporting character is Carol Hughes, as the pretty schoolmarm who disguises her beauty with spectacles and awry headdress to hold her job.

Emma Dunn, cast as Baines' wife, also furnishes a top-flight thespian chore while Lee (Lasses) White, Baines' colored assistant, has perhaps his crack comedy role in pictures. John Archer suffices as the stalwart lawyer and other half of the love affair with the schoolteacher while Francis Trout makes an eccentric, but loyal, wise-cracking train conductor. Support, nearly all village characters neatly picked, includes Fern Emmett, Edward Earle, Joseph Crehan and Bradley Page.

Scripting of Michael L. Simmons and Edward T. Lowe is a workmanlike contribution, with Henry Berman's editing and Jack Mackenzie's photography keeping pace.

Wear.

RIDE KELLY RIDE

Hollywood, Feb. 8.

20th Century-Fox release of Sol M. Wurtzel production. Features Eugene Pallette, Marvin Stephens, Rita Quigley, Mary Healy. Directed by Norman Foster. Screenplay by William Conselman, Jr., and Irving Cummings, Jr. based on story by Peter B. Kyne; camera, Virgil Miller; editor, Louis Loeffler. Previewed in studio Projection Room Feb. 7, '41. Running time: 59 MINS.

Duke....Eugene Pallette
Corn Cob Kelly....Marvin Stephens
Ellen Martin....Rita Quigley
Entertainer....Mary Healy
Dan Thomas....Richard Lane
Bob Martin....Charles D. Brown
Knuckles....Chick Chandler
Mrs. Martin....Dorothy Peterson
Tuffy Graves....Lee Murray
Skeezika O'Day....Frankie Burke
Louis Becker....Cy Kendall
Steward....Hamilton MacFadden
Kalinski....Walter 'Speck' O'Donnell
Sandy....Ernie Adams
Stewards....Edwin Stanley, Edward Keane, Edward Earle

Dragging in most of the old and familiar bromides utilized on horse-racing pictures, this one makes no attempts to run on new story tracks. Looks like little attention has been given to either story or direction, resulting in a selling plater offering that will depend on secondary filler bookings where unimportant support is required.

Story tugs and strains with artificial and obvious situations. Young cowboy, Marvin Stephens, is plucked off a ranch by horse trainer Eugene Pallette and owner Richard Lane. Kid goes through training for jockey career, gets bumped by a vet rider, and comes back to frustrate the gamblers by winning a fixed race.

Picture continually carries the over-dramatized tang of the mellers of the gaslight 10-20-30 circuit, and displays amateurishness in both writing and directing. Cast struggles along in the heavy going without being able to save ground. 'Ride Kelly Ride' is a left-at-the-barrier entry.

Walt.

MEET THE CHUMP

Hollywood, Feb. 7.

Universal release of Ken Goldsmith production. Stars Hugh Herbert. Directed by Edward Cline. Screenplay by Alex Gottlieb; original by Hal Hudson and Otis Garrett; camera, Elwood Bredell; editor, Milton Carruth. Previewed in studio Projection Room Feb. 6, '41. Running time: 60 MINS.

Hugh Mansfield....Hugh Herbert
John Mansfield....Lewis Howard
Madge Reilly....Jeanne Kelly
Miss Burke....Anne Nagel
Gloria Mitchell....Kathryn Adams
Stinky Fink....Shemp Howard
Slugs....Richard Lane
Revello....Andrew Tombes
Juniper....Robert Cavanaugh
Dr. Stephanowsky....Charles Halton
Chimp....Martin Spellman
Muldoon....Ed Gargan

'Meet the Chump' has been set up to display the jittery antics and dialog eccentricities of Hugh Herbert. It's a lightweight programmer for the supporting duals, and will get a goodly share of laughs with elemental and zany antics for audiences that require broad exposition of comedy.

Yarn is a synthetic framework to conveniently parade a series of madcap antics that inject both burlesque and slapstick technique into the proceedings. Herbert is a screwball investment and trust fund manager—for no apparent reason. He embarks on a campaign to prevent his nephew from acquiring a fortune on the boy's 25th birthday. There's a shortage in accounts, and Herbert simulates insanity to get tossed into a sanitarium. There's a wild series of mixups in the crazy house, and a switch to conflict with an overdrawn band of gangsters for a rough-house routine, before everything is set back in normal order.

Herbert carries the major assignment of dishing out the elemental comedy routines, with director Edward Cline pumping in many old and new gags and situations that will go over with audiences for whom the picture is aimed.

Walt.

Face Behind the Mask

Columbia release of Wallace McDonald production. Stars Peter Lorre; features Evelyn Keyes, Don Beddoe, George E. Stone. Directed by Robert Florey. Screenplay by Allen Vincent and Paul Jarrico from story by Arthur Levinson, based on radio play by Thomas Edward O'Connell; camera, Franz A. Planer; editor, Charles Nelson. At the Rialto, N. Y., starting Feb. 6, 1941. Running time: 69 MINS.

Janos Szaby....Peter Lorre
Helen Williams....Evelyn Keyes
Jim O'Hara....Don Beddoe
Dinky....George E. Stone
Watts....John Tyrrell
Harry....Stanley Brown
Benson....Al Seymour
Jeff....James Seay
Johnson....Warren Ashe
Chief O'Brien....Charles Wilson
Terry Finnegan....George McKay

Columbia bills this as a 'horror' picture. It's that in spades. It's not so much likely to scare audiences as make them a little sick, between Peter Lorre in a nauseating rubber mask and the femme lead as a blind girl. Production, acting and story, paradoxically, are all of a fairly high order, but it's all too unpleasant.

Cheapie grind houses with patronage predominantly male would ordinarily be the best outlet, except that audiences of this type will probably prefer a story with speedier action and a bit less psychological study. Yarn has Lorre an immigrant whose face is badly burned in a rooming house fire. Seared flesh is bad enough to look at, but it is not helped much by putting Lorre in a rubber mask that's almost equally likely to cause intestinal flip-flops among the more squeamish trade.

Picturing a pretty girl as blind is another aspect not destined to cause coin to flow into a boxoffice. And her death at the finale, as well as Lorre's, just about tops things. In between the player's arrival in America and his demise in a desert he becomes a master criminal because his face prevents his getting a job. Story unfolds at deliberate pace under Robert Florey's direction to emphasize that a sincerely honest man is forced by unfortunate circumstances to turn to crime.

Lorre handles his role ably, hurdling with minimum pain the bits of stilted dialog too frequently handed him by screenwriters Allen Vincent and Paul Jarrico. Evelyn Keyes, as the blind girl who is the only one he can find to accept his love, does a good job in a role that could easily be hammed up. Bad miscasting is George E. Stone as a good-hearted burglar. He just doesn't ring true. Don Beddoe is okay as a police lieutenant who befriends Lorre.

Herb.

FARGO KID

(ONE SONG)

RKO-Radio release of Bert Gilroy production. Stars Tim Holt; features Ray Whitley, Emmett Lynn, Jane Drummond. Directed by Edward Killy; screenplay, Morton Grant and Arthur V. Jones; story, W. C. Tuttle; music, Paul Sawtell; camera, Harry Wild; editor, Frederick Knudtson. Reviewed Colonial, Lincoln, Neb., dual. Running time: 64 MINS.

Fargo Kid....Tim Holt
Johnny....Ray Whitley
Whopper....Emmett Lynn
Jennie....Jane Drummond
Kane....Cyrus W. Kendall
Bush....Ernie Adams
Mallory....Paul Fix
Winters....Paul Scardon
Sheriff....Glenn Strange
Sarah....Mary McLaren

Tim Holt makes a great mistake in 'Fargo Kid,' as far as story weight goes, because he stuffs $5,000 in the

Continued on page 18)

THE MAN WHO MADE $1,000 ON A 25c INVESTMENT!

Little Theatre

123 North Eutaw Street BALTIMORE MD.

OFFICE OF
THE MANAGER

february 5th

Variety,
154 W. 46th St.,
New York, N.Y.

Gentlemen:-

Your current issue has a full-page ad on page 14 regarding NIGHT TRAIN. We thought you'd like to know that here's one theatre that is interpreting that ad's headline literally - and I don't mean figuratmively.

I read that Variety review of NIGHT TRAIN in the October 30th issue, and on the strength of it, arranged to screen the picture at once. As a result, we had the American premiere of NIGHT TRAIN at the Little Theatre in Baltimore. We opened on November 30th (a full month ahead of the Globe Theatre in New York) - and we're still running full steam ahead. NIGHT TRAIN goes into its 11th record week here this Saturday.

Thought you'd like to know about it.

Sincerely,

Maxwell Weinberg, manager
THE LITTLE THEATRE

m-

14 VARIETY Wednesday, February 5, 1941

WANT TO MAKE A $1,000 PROFIT ON A 25 CENT INVESTMENT?

Reported from Variety time Oct. 30, 1940

NIGHT TRAIN
(BRITISH-MADE)

Of course, we're speaking figuratively—no guarantees! However, way back in October VARIETY reviewed a film called 'Night Train'—a British-made picture, directed by Carol Reed.

'A taut, gripping melodrama of steadily... tensity, 'Night Train' may prove a s... viewer's description, after a pro... He added, 'This picture is... can hardly fail ...

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VARIETY

154 WEST 46TH ST.
NEW YORK

United Artists Paces Nominations For Academy Awards With 5 Pix

Hollywood, Feb. 11.

United Artists is setting the pace among the 1940 nominees for the award by the Academy of Motion Picture Arts and Sciences, five of the company's features being up for the Oscar among the 10 films nominated.

Official nominations for the 13th annual awards of the Academy have been announced by Walter Wanger, president with some 23 Oscars to be awarded at the annual dinner at the Biltmore Bowl, Feb. 27. Ballots will be mailed to about 12,000 members of the film business Thursday (13).

Nominations for Oscar awards for acting were made by Class A members of the Screen Actors Guild. For directors choices were made by those qualifying for senior membership in the Screen Directors Guild. Likewise, writing nominations came from active members in the Screen Writers Guild.

Films

Outstanding feature picture nominations are 'All This, and Heaven Too,' Warners; 'Foreign Correspondent,' Wanger-UA; 'Grapes of Wrath,' 20th-Fox; 'Great Dictator,' Chaplin-UA; 'Kitty Foyle,' RKO; 'The Letter,' Warners; 'Long Voyage Home,' Argosy-Wanger-UA; 'Our Town,' Lesser-UA; 'Philadelphia Story,' Metro; 'Rebecca,' Selznick-International, UA.

For best performance by actor: Charles Chaplin in 'Great Dictator'; Henry Fonda in 'Grapes of Wrath'; Raymond Massey in 'Abe Lincoln in Illinois,' Max Gordon Plays & Pictures-RKO; Laurence Olivier in 'Rebecca'; James Stewart in 'Philadelphia Story.'

For best performances by actress: Bette Davis in 'The Letter'; Jean Fontaine in 'Rebecca'; Katharine Hepburn in 'Philadelphia Story'; Ginger Rogers in 'Kitty Foyle'; Martha Scott in 'Our Town.'

Best Actor Performance

For best performance of supporting actor: Albert Basserman in 'Foreign Correspondent'; Walter Brennan in 'The Westerner,' Goldwyn-UA; William Gargan in 'They Knew What They Wanted,' RKO; Jack Oakie in 'Great Dictator'; James Stephenson in 'The Letter.'

For best performance of supporting actress: Judith Anderson in 'Rebecca'; Jane Darwell in 'Grapes of Wrath'; Ruth Hussey in 'Philadelphia Story'; Barbara O'Neil in 'All This, and Heaven Too'; Marjorie Rambeau in 'Primrose Path,' RKO.

For best directing: John Ford on 'Grapes of Wrath'; Sam Wood, 'Kitty Foyle'; William Wyler, 'The Letter'; George Cukor, 'Philadelphia Story,; Alfred Hitchcock, 'Rebecca'.

For best original motion picture story: Benjamin Glazer-John S. Toldy, original for 'Arise My Love,' Paramount; Walter Reisch, 'Comrade X,' Metro; Dore Schary-Hugo Butler, 'Edison the Man,' Metro; Bella Spewack-Samuel Spewack and Leo McCarey, 'My Favorite Wife,' RKO; Stuart N. Lake, 'The Westerner'.

Best written screenplay: Nunnally Johnson, 'Grapes of Wrath'; Dalton Trumbo, 'Kitty Foyle'; Dudley Nichols, 'Long Voyage Home'; Donald Ogden Stewart, 'Philadelphia Story'; Robert Sherwood and Joan Harrison for 'Rebecca'.

Originals

For best original screenplay, writer must also have been sole author or authors of the original: Ben Hecht, 'Angels Over Broadway,' Columbia; John Huston, Heinz Herald, Norman Burnside, 'Dr. Ehrlich's Magic Bullet,' Warners; Charles Bennett, Joan Harrison, 'Foreign Correspondent'; Charles Chaplin, 'Great Dictator'; Preston Sturges, 'The Great McGinty,' Paramount.

Best achievements in art direction (black-and-white films): 'Arise, My Love'; Arizona,' Columbia; 'Boys From Syracuse,' Mayfair-Universal; 'Dark Command,' Republic; 'Foreign Correspondent'; 'Lillian Russell,' 20th-Fox; 'My Favorite Wife'; 'My Son, My Son!', Small-UA; 'Our Town,' 'Pride and Prejudice,' Metro; 'Rebecca,' 'Sea Hawk,' Warners; 'The Westerner'.

Best achievements in art direction (color films): 'Bitter Sweet,' Metro; 'Down Argentine Way,' 20th-Fox; 'Thief of Bagdad,' Korda-UA; 'North West Mounted Police,' Paramount.

Best achievements in sound recording: 'Behind the News,' Republic; 'Captain Caution,' Roach-UA; 'Grapes of Wrath'; 'Howards of Virginia,' Frank Lloyd production; 'Kitty Foyle'; 'North West Mounted Police'; 'Our Town'; 'Sea Hawk,' Warners; 'Spring Parade,' Universal; 'Strike Up the Band,' Metro; 'Too Many Husbands,' Columbia.

Nominations previously had been made for bests in camera work, color cinematography, music, scoring, song, film editing and three awards in short features. Special awards will be decided by the Awards Committee and the Academy Board of Governors.

Scientific and technical achievement in film producing will be rewarded by the academy at the dinner through Darryl F. Zanuck, chairman of the Research Council, Chairmen of the committees handling awards are Sidney Solow, laboratory; John Arnold, lighting; Keith Glennan, photography; Mitchell Leisen, production equipment; E. H. Hansen, sound; Farciot Edouart, special effects.

Vision Slightly Blurred

Los Angeles, Feb. 11.

Juke box suit for $5,000 was filed in Superior Court by Sol Freedman against Frank P. Orsatti and Samuel Sax, involving 'Phono-Vision,' a new type of projector.

Freedman charges that he introduced the projector to the defendants and was hired at $200 a week for five years, but was dropped off the payroll after two weeks.

WANT TO KEEP UP PRICES IN MPLS.

Minneapolis, Feb. 11.

A Northwest Allied committee is trying to induce the Milwaukee group operating the 4,000-seat Minnesota theatre to quit 'upsetting the local applecart' by retaining its 28c matinee admission scale for its vaudfilm shows to 6 p.m.

Under an unwritten agreement which has been strictly adhered to by all circuits and individual theatre owners alike, the change here from the afternoon to night prices has occurred at 5 p.m. When the Mid-West Corp. entered the local field by reopening the Minnesota it immediately instituted the 6 p.m. price change time. It also tossed a monkey wrench into the machinery here by inaugurating a 39c top for stage shows plus films. Previously the independents had waged a successful fight for a 55c minimum stage show top.

If the Minnesota theatre persists in its present stand, Northwest Allied leaders say, the entire theatre admission structure may be broken down and a price war started.

LOS ANGELES

(Continued from page 11)

on preceding seven days with 'Bowery Boy' (Rep) on screen and 'Vanities' on stage.

Pantages (Pan) (2,812; 30-44-55)—'Thing Called Love' (Col) (2d wk) and 'Meet Chump' (U). Doing nicely on holdover, and should hit good $8,300. First week, neat $11,200.

Paramount (Par) (3,595; 30-40-55-75)—'Mad Doctor' (Par) and 'Monster and Girl' (Par) plus stage show. Horror-spook show headed for big $17,000. Last week, 'Victory' (Par) (2d wk) and 'You're the One' (Par), with radio show on stage, topped $13,000 as predicted.

RKO (RKO) (2,672; 30-44-55)—'Thing Called Love' (Col) (2d wk) and 'San Francisco Docks' (U). Holdover good at $8,100. First seven days of 'Love' brought excellent $11,000.

State (Loew-FWC) (2,404; 30-44-55-75)—'Tall, Dark (20th) and 'Keeping Company' (M-G). Will be lucky to hit weak $8,200, not profitable. Last week, 'Live With Me' (M-G) and 'Liberty' (M-G), weak $9,600.

United Artists (UA-F-WC) (2,100; 30-44-55)—'Live With Me' (M-G) and 'Tower of Lies' (M-G). Slow on moveover and poor $2,300 indicated. Last week, 'Flight Command' (M-G) and 'Shayne Detective' (20th), fair $3,300.

Wilshire (F-WC) (2,296; 30-44-55)—'Live With Me' (M-G) and 'Liberty' (M-G) dual. Should hit fair $4,300 on the stanza. Last week, 'Flight Command' (M-G) and 'Shayne Detective' (20th), fair $4,800.

'Pastor Hall' Row; N. Y. Theatre's Police Detail

Nyack, N. Y., Feb. 11.

After a disturbance at the close of Sunday (9) afternoon's performance of 'Pastor Hall,' anti-Nazi film, the Central, Pearl River (N. Y.) nabe, asked and received police protection for the remainder of the run.

At the close of the picture depicting Nazis trampling on the peaceful life of a German village and the equally quiet existence of the village pastor, a couple dashed out and approached an attendant. The man denounced the film and the theatre management for contributing to a 'distorted impression of Germany and Hitler's men.'

While his wife sobbed and others in the lobby stared, the man shouted that if the theatre tried to show the picture again he would return with friends and egg the screen. His voice could be heard plainly inside the theatre, where the matinee performance was continuing.

Cops were called and placed on duty by Chief Fred Kennedy of the Orangetown police. At least three policemen were noted in the house last night. Manager Irving Sherman was not at the house at the time of the incident.

John C. Fremont Kin Presses Criminal Libel Action on 'Kit Carson'

Criminal libel action brought against Paul Murphy, manager of Loew's Ziegfeld, N. Y., to stop showing of 'Kit Carson' was held over last week until March 10. Magistrate in whose court the suit was brought declared it was the wrong place for such action and advised that an injunction be sought in civil court.

Case was brought by John C. Fremont, grandson of Genl. John C. Fremont, who claims his grandfather was painted as a potential bigamist. Picture was produced by Edward Small for United Artists distribution.

Although the magistrate claimed he did not have jurisdiction, at the insistence of Fremont's counsel, Frank Aronow, he agreed to go into the question again at the future date. Murphy's and Small's interests were represented by O'Brien, Driscoll & Raftery.

Complaints

Continued from page 6

mark time until new selling season gets under way before airing their grievances.

AAA offices have been opened here, with Walter H. Elliott in charge as secretary. Panel of arbitrators is being lined up, but so far there have been no calls for their services.

Won't Talk, Eh?

Cleveland, Feb. 11.

All's quiet on the Cleveland front as far as the local branch of the A.A.A. is concerned. Not one brief or demand for arbitration has been filed with it since Luke H. Lyman was appointed manager of tribunal here. Formerly was law clerk for Judge Florence E. Allen of the U.S. circuit court of appeals.

Only thing that a Variety mugger learned on first visit to Lyman's office is that A.A.A. reps, like army generals in front-line trenches, are not allowed to talk without permission from headquarters.

Giving out news tips or information about cases is strictly taboo, warned Lyman, whose favorite remark is, 'You'll have to ask C. V. Whitney (prez of the association) about that.' Also hinted he wouldn't be allowed to discuss any complaints by exhibitors until they had gone through official channels and had been formerly announced. His Cleveland baliwick, he did say, stops at the Delaware county line, with the Cincinnati tribunal handling the lower half of Ohio.

No Beefs Yet In Philly

Philadelphia, Feb. 11.

Although Philly has been the hotbed of controversy between indie exhibs and the major distribs, there have been no complaints filed as yet with the arbitration board set up under the consent decree.

William Elliott, in charge of local arbitration office, said several lawyers have called to receive information about setup but there are no cases pending as yet.

Paramount Annual Earnings, 1935-40

(Note*)

1935	$3,153,167
1936	3,889,020
1937	6,045,103
1938	2,533,279
1939	2,737,533

(1939 by Quarters)

First Quarter	Second Quarter	Third Quarter	Fourth Quarter
$622,000	$530,000	$333,000	$1,252,533
1940			$7,617,000
First Quarter	Second Quarter	Third Quarter	Fourth Quarter
$890,000	$1,155,000	$1,726,000	$2,807,000

Note—(*)—Reorganization plan became effective July 1, 1935. In previous five years company operated under different setup or was run under 77-B, hence comparisons with operations in those years do not reflect equitable financial picture.

Par's Estimated $7,617,000 Earnings For 1940 Virtually Doubles 1939

Par's 20c On Common

Paramount directors last Friday (7) declared a dividend of 20c per share on its common stock, making the largest single common cash divvy declaration this early in the year since the present stock was issued in 1935. Directors also declared the regular 15c dividend on the second preferred and $1.50 on the first preferred, covering the first quarter of 1941.

All three distributions will be made April 1, but to common stockholders on record, March 14, and preferred shareholders on record, March 11.

FIRST WB DIVVY IN YEARS TIPS COIN UPBEAT

Fact that Warner Bros. paid its first dividend on the preferred in nearly nine years with the 96¼c declaration 10 days ago focuses attention on the vastly improved financial position of the corporation. Debt service (interest charges) are regarded in financial circles as being fairly well caught up so that a divvy on the preferred can be afforded.

First quarter profits for the fiscal year ending last November, recently issued, showed them to be running about twice as high as the same quarter a year ago. Warners' earned surplus rose nearly $3,000,000, as reported at the end of the fiscal year, Aug. 31, 1940, from $1,612,046 on Aug. 26, 1939. Because only 99,617 shares are listed as outstanding, less than $97,000 will be paid on the 96¼c distribution.

'Student' Cut-Rate Admissions of 20c Subject to 3c Tax

Minneapolis, Feb. 11.

Despite Northwest Allied protests, the U. S. Bureau of Internal Revenue has ruled that exhibitors in this territory must collect a 3c admission tax on 20c student admissions.

Many of the theatres in the section lower their 28c adult admissions to 20c for students and other young people from 12 to 20 years of age. They have found it profitable to 'split the difference' or, at least, bridge the gap between children's dime admissions for kiddies under 12 and the adult scale.

Internal Revenue Dept. holds that the 'student' admissions are reduced adult admissions and, therefore, are taxable in the same amount as the regular or adult tickets. However, a number of exceptions to the 'reduced admissions' tax are listed, including bona-fide employees of the management, municipal officers on official business, a child under the age of 12 and those other persons whose admission to the place is required for the performance of some duty. Another exemption applies to a 20c section of seats where the accommodations are not the same as or similar to those of 28c, providing the 20c section is available to adults, too.

Paramount showed virtually double its 1939 earnings in an estimate of earnings for the past year issued after the board of directors' meeting last Friday (7). Company estimated earnings (for 53 weeks ended last Jan. 4) at $7,617,000 as compared with $3,674,000 for the year ending Dec. 30, 1939. This is equal to $2.63 per common share as against $1.08 in 1939 and actually within a few cents of Wall Street estimates last month.

The estimate included $974,000, share of undistributed earnings of partially owned non-consolidated subsidiaries, and $98,000 profit on purchase of debentures as compared with $1,117,000 share of undistributed earnings of same type of subsids in the previous year.

Paramount estimated earnings for the fourth quarter (ended Jan. 4 this year) totaled $2,807,000, or $1,777,000 ahead of comparable quarter of 1939 when the company reported $1,030,000. This is equal to $1.02 per common share against 29c in 1939. The final quarter for 1940 did not include $381,000, representing the total dividends received by Par and its consolidated subsids from non-consolidated subsidiaries in excess of Paramount's direct and indirect net interest as a stockholder in the combined earnings for the quarter. It was explained that this excess represents a partial distribution of share of earnings in previous quarter. In the 1939 final quarter the company likewise did not include $245,000 under the same conditions.

Company reported that it had acquired 10,482 shares of first preferred and 22,600 shares of second preferred, 11,400 shares of the latter being acquired in the fourth quarter. Par acquired 2,500 shares of first preferred in this final quarter. The total amount of shares were acquired at a discount of about $203,500, which amount has been credited to a special capital surplus account.

Paramount also showed that $925,000 principal amount of its 3¼% debentures had been acquired at a discount of approximately $98,000.

Corporation reported 134,189 shares of first preferred outstanding on Jan. 4 this year and 532,470 shares of second preferred outstanding on the same date. There were 2,465,927 shares of common outstanding on Jan. 4 this year.

25G Claim Vs. Con. Film

Suit by Travelcade Film Corp., producer of travelogues against Consolidated Film Industries, Inc. for $25,000 damages was revealed yesterday (Tues.) in N. Y. supreme court, when an application was made to examine Con officers before trial. Action alleges breach of contract.

Plaintiff on Aug. 20 delivered six negatives to Consolidated to make 15 prints of each at $.0357 per foot. Delivery was expected in six days. It is claimed Consolidated procrastinated for two months and then declared it could not do the work. The travelogs had lost their timeliness by this time and were not marketable, plaintiff claims, in asking damages.

LANA TURNER IN 'J. & H.'

Hollywood, Feb. 11.

Lana Turner has been set by Metro for femme lead opposite Spencer Tracy in 'Dr. Jekyll and Mr. Hyde.'

Ingrid Bergman plays second femme spot in the picture.

THE GREATEST AND GRANDEST OF ALL THE "BLONDIES"!
THE BUMSTEADS GO MUSICAL!
A song and dance show packed with the biggest production values ever lavished on a "BLONDIE" picture!
BLONDIE GOES LATIN
with The Bumsteads
PENNY SINGLETON as Blondie
ARTHUR LAKE as Dagwood
LARRY SIMMS as Baby Dumpling
RUTH TERRY · TITO GUIZAR (Radio's famous Mexican singing star)
Screen play by Richard Flournoy, Karen DeWolf
Directed by Frank R. Strayer · Produced by Robert Sparks
A COLUMBIA PICTURE
COLUMBIA PICTURES
★ Based upon the comic strip by CHIC YOUNG

Indie Exhib Urges Philly Exchanges Not to 'Bottleneck' New Releases

Philadelphia, Feb. 11.

William Goldman, head of a large indie chain in Eastern Pennsylvania area, yesterday (Mon.) took up the cudgel against the impending 'bottleneck' of product in the Philly area caused by rash of holdovers in first-run houses and the opening of 'Fantasia' at first-run Aldine, tying up this house for a long time.

Goldman sent letters to all exchange heads protesting the conditions, which he said would cause 'slow strangulation' for every subsequent run indie exhib in the area. Distribs, said Goldman, would also suffer as the Warner company, which controls all first run houses here, 'must give preference to one or two preferred distributors.'

Goldman is making a bid for first-run product beginning next buying season for the Erlanger, midtown house which he recently leased. The letters, mimeographed copies of which were sent to indie exhibs, declared that with the 'super-A' first runners (Boyd, Stanley and Aldine) tied up with long runs, A pictures are forced into the Earle and Stanton—usual spots for Class B product.

Goldman offered his Erlanger for an immediate run for first-run product and further offered to waive the usual 28 days' protection so that the product would go immediately 'into the acute subsequent run theatres' as a solution to the 'bottleneck emergency.'

'If Warners should refuse to release their contracts for these pictures,' Goldman said, 'they should likewise make the same gesture and waive their protection and permit these pictures to go into subsequent runs.'

Goldman lists product which he said was being 'bottlenecked,' and for which he is willing to negotiate for first run showing, as:

UA's 'Cheers for Miss Bishop,' 'So Ends the Night'; Universal's 'Back Street,' 'Buck Privates,' 'Streets of Cairo' and 'Meet the Chump'; Paramount's 'Victory,' 'Life With Henry' and 'Virginia'; RKO's 'Convoy,' 'Saint in Palm Springs,' 'Mr. and Mrs. Smith,' 'Let's Make Music' and 'Playgirl'; Columbia's 'Devil Commands' and 'Thing Called Love'; Fox's 'Romance of Rio Grande,' 'Michael Shayne, Detective,' 'Girl in the News,' 'Golden Hoofs' and 'Western Union' and Metro's 'Flight Command,' 'Wild Man of Borneo' and 'Come Live With Me.'

Inside Stuff—Pictures

This letter came to W. G. Van Schmus at Radio City Music Hall, N. Y., dated Nov. 25, 1940, but just arrived from Germany:

I am General Manager, Theatre Royal, Dublin, Ireland, and am a military prisoner of war in Germany. My name and address is on the back of this letter. As communication with Ireland is slow and difficult, I would very much appreciate your kindness in sending my name and address to your trade papers for publication if possible, as I was No. 1 theatre playing American artists and have a large circle of friends in the profession who might like to send me a letter. I would also be pleased if you could include me on your mailing list for one of your programs each week. I am anxious to keep in touch with American artists and anything you can do for me will not be forgotten.

I was wounded and taken prisoner in France in the last days the British Force was there. It was bad luck as I was due to return to Dublin to my business but could not get a boat. Southern Ireland (Eire) remains neutral and business is good there but communication is very difficult. If you can also pass my name to the American Red Cross for some small food and clothing parcels, the cost of same will be well covered in the future.

I regret troubling you but grateful thanks in anticipation,

Yours truly,

LT. COLONEL J. McGRATH,

Gefangenennummer 1135, Lager-Bezichnung Oflag VII C/H, Germany.

W. J. Merrill, v.p.-treasurer of RKO Corp., elected a vice president of RKO Pictures, main subsidiary over production.

RKO-Radio Pictures will have a new trademark. Flasher effect gives way to streamlined towers with cloud effects and special music. Present trademark is 12 years old.

Sam Goldwyn and Bob Hope ran off 'Whoopee' the other day and decided that the old Eddie Cantor musical is not for 1941 remake standards. Instead, Hope's filmusical commitment to Goldwyn will be an original.

New York Theatres

PARAMOUNT
HELD OVER
"VIRGINIA"
In Technicolor
with
Madeleine
CARROLL
A Paramount Pic.
In Person
GLENN
MILLER
and His Band
CASS DALEY
Midnite Screen Shows

WALT DISNEY'S
FANTASIA
with STOKOWSKI conducting
the miracle music of RCA Fantasound
Children half-price at all times
BROADWAY 53 St. & B'way
Circle 6-5353

CHAS. BOYER • MARGARET SULLAVAN
—in—
"BACK STREET"
A Universal Picture
UNITED ARTISTS
RIVOLI
Broadway at 49th St.
Doors Open 9:30 A.M.
MIDNITE SHOWS

LOEW'S
State
TIMES SQ
Last Times Wed.
Robert Taylor
"FLIGHT COMMAND"
In Person
BIG STAGE SHOW
Starts Thur., Feb. 13
Bud Abbott
Lou Costello
"BUCK PRIVATES"
In Person
Belle Baker
Hal LeRoy
Herbie Kay
and Orchestra

2ND WEEK
"HONEYMOON FOR THREE"
STARRING
Ann SHERIDAN • Geo. BRENT
A New Warner Bros. Hit
DIRECTED BY LLOYD BACON
IN PERSON
RAY NOBLE and His Orch.
Extra! Have You Met YVETTE?
STRAND B'way & 47th St.

4th Week at Popular Prices
Capitol
Broadway & 51st Street
Full Length-Continuous Showings
'Gone With the Wind'
A Metro-Goldwyn-Mayer Release

RADIO CITY MUSIC HALL
"THIS THING CALLED LOVE"
Spectacular Stage Productions

RKO PALACE B'WAY & 47th St
Week Beginning Wed., Feb. 12
'HIGH SIERRA'
HUMPHREY BOGART
IDA LUPINO
—and—
BOOTH TARKINGTON'S
'FATHER'S SON'
John Litel, Frieda Inescort

COPELAN TO OPERATE OWN THEATRES IN FLA.

Atlantic City, Feb. 11.

Herbert L. Copelan, general manager for the Warner Bros. Atlantic City and Pleasantville theatres for past eight years, resigned Thursday (6) from WB, and will leave this month for Florida, where he will operate his own chain of theatres.

Copelan has been known as the youngest zone manager in the country. He entered employ of WB 12 years ago in publicity department. From there became assistant director and then director of Vitaphone shorts and later general manager of the Winter Garden and N. Y. Strand and Hollywood theatres.

CHARLOTTE, N.C., 24TH VARIETY TENT

Charlotte, N. C., Feb. 11.

Organization of Tent No. 24 of the Variety Club of America has been effected at Charlotte with officers of the unit announced. H. H. Everett elected chief barker; Ben Rosenwald, J. H. Vickers, assistant chief barkers; John A. Bachman, property master, and H. F. Kincey, dough guy. Directorate is F. H. Beddingfield, R. J. Ingram, T. A. Little, James Pritchard, John Holston, and Bert Adams.

Charter night dinner at Hotel Charlotte, March 10. Construction of quarters for the tent now in progress on the second floor of hotel.

N.Y. CHAIN STORE TAX WOULD HIT THEATRES

Albany, Feb. 11.

Assemblyman Louis Bennett, of Bronx, N. Y., re-introduced the bill taxing chain stores today. Theatres are included in the definition of what constitutes a store.

Annual tax ranges from $50 for each unit in excess of two up to $1,000 each in excess of 25 units.

Phelps' 'Bill of Rights'

Senator Phelps Phelps has introduced a bill in the N. Y. state senate which would discourage insidious organizations from attacking minority groups and tend to make the preaching of political gospels seeking to destroy the Bill of Rights extremely difficult. Measure has been introduced as an amendment to the penal law and provides a fine of not more than $1,000 and/or a jail sentence of not more than two years.

Bill also provides means whereby any person damaged by such acts can seek damages via civil action.

Phelps' proposal states specifically that 'inciting, advocating or promoting means of denying any person the rights and privileges conferred by the constitution' shall apply to persons who do this by means of writing, printing or by speech. And that this shall constitute a misdemeanor.

The Stunt That Failed

Hollywood, Feb. 11.

Oren Hagland, assistant director, and three extras, Verne Richards, Bob Stanley and Milton Weiss, were injured when a car driven by Yakima Canutt, stunt man, went out of control during the filming of 'Affectionately Yours' at Warners.

Wheels of the car locked when Canutt swerved to avoid hitting Ed Parker, Ralph Bellamy's double.

Armstrong

Continued from page 2

novelty, or whether his knowledge of bands and music is sufficiently strong. Idea of building a band for him, of course, is based on the assumption that he would be a real bandleader, not a novelty. Eddie Mead, his ring manager, will refain his handler.

Jesse Owens, colored Olympic winner who retired from running, was another outstanding athlete to take a fling at bandleading during the last couple of years. His batoning, however, was strictly along novelty lines, and was shortlived.

Film Reviews

Continued from page 14

FARGO KID

barrel of his gun to hide it and can't use the weapon all through the pic. He does resort to fists to get the celluloidrama over the bumps, but the muzzling of his firearm is bad, even though it is a good hiding place.

The framework of the story is built from his meeting a pro gunman on the desert, outwitting him, getting his horse and with the animal the gunman's badge by which he is to be identified upon arrival at his destination. Holt finds he's being hired for 5Gs to lead down an old man (Paul Scardon), who is prospecting close to a vein of gold and doesn't know it. Meantime, the real creator of holster havoc arrives on the scene, shows the Holt play up to the outlaws, at the same time leaving also vulnerable to the sheriff.

Utah's Escalante mountains furnish the scenic background and give a lot to the film pictorially. Direction could be a little more interesting.

Ray Whitley, who is a good singer for this brand of entertainment, is wasted. He should either be in for his voice and guitar, or it's misleading to the customers. He gets so little tunefulness into 'Fargo Kid,' he's almost overlooked. Paul Fix is the menace, and does okay. Emmett Lynn gains a comedy point, and Jane Drummond, the girl, has no heavy duty.

This isn't as good as the first in the Tim Holt series, and this is the second. *Art.*

PETTICOAT POLITICS

Republic release of Robert North production. Directed by Erle C. Kenton. Screenplay, Ewart Adamson and Taylor Caven; camera, Jack Marta; editor, Edward Mann; music director, Cy Feuer. Previewed in Projection Room, N. Y., Feb. 6, '41. Running time: 67 MINS.

Joe Higgins	Roscoe Karns
Lil Higgins	Ruth Donnelly
Grandpa	Spencer Charters
Sidney Higgins	George Ernest
Betty Higgins	Lois Ranson
Widow Jones	Polly Moran
Slats O'Dell	Paul Hurst
Alfred Wilcox	Pierre Watkin
Don Wilcox	Alan Ladd
Guy Markwell	Harry Woods
Tilly	Claire Carleton
Henry Trotter	Jeff Corey
Newt	Charles Moore
Mayor Williams	George Meader
Bryant	Emmett Vogan
Pom Pom	The Dog

What has been a fairly entertaining family-type series of films seems, on the basis of this latest Higgins Family comedy, to have become immersed in a wealth of silly detail that has seen better days.

This time Joe Higgins runs for mayor. You know Joe Higgins. The little guy who's always getting involved in one situation or another, and all due to the better half's hair-brained ideas. When all Joe wants to do is to be left alone, to go duck shooting when he wants to and generally live comfortably on his annuity. But there's Lil. Joe just can't sit around the house and do nothing—the insurance agent told her that men don't live long after they retire—and so Lil Higgins decides that Joe must find something to occupy him. Like run for mayor, for instance.

Roscoe Karns plays Joe Higgins, who's backed by the women's reform ticket led by Polly Moran and Ruth Donnelly (Lil Higgins), and the resulting complications that arise when a crooked gang backing the incumbent mayor contribute only mild laughs.

Karns, Ruth Donnelly, Polly Moran and Spencer Charters totter along with the film, though the main difficulty is in the story itself.

Strictly for the rural trade, 'Petticoat Politics'—and Mayor Joe Higgins—will be lucky to avoid impeachment. *Naka.*

CAUGHT IN THE ACT

Producers Releasing Corp. release of T. H. Richmond production. Stars Henry Armetta; features Iris Meredith, Robert Baldwin. Directed by Jean Yarborough. Original story, Robert Cosgriff; screenplay, Al Martin; camera, Mack Stengler. At Strand, Brooklyn, week Feb. 6, '41, dual. Running time, 60 MINS.

Mike	Henry Armetta
Lucy	Iris Meredith
Jim	Robert Baldwin
Brandon	Charles Miller
Mary	Inez Palange
Henderson	Dick Terry
Davis	Joey Ray
Fay	Maxine Leslie
Sergeant Riley	William Newell

This is an instance where the exhibitor probably would not believe it unless he had seen it in his own theatre. Picture is a diluted gangster nightmare, leaning almost entirely on Henry Armetta's dialect and mannerisms for audience interest—and not even having the saving grace of spirited action. It's strictly for lower half on minor subsequent-run dualers.

Henry Armetta, a construction foreman promoted to salesman, becomes involved with a 'protective association' preying on construction companies, rows with his wife, is innocently jailed, drags his boss into the mess and finally helps capture the crooks. That basically is Robert Cosgriff's original which Al Martin did not improve in scripting for the screen.

Yarn requires 60 minutes to unfold, with perhaps half the time devoted to Armetta's mugging, gesticulating and dialect. Where 10 minutes of the spaghetti-vintaged comedian on stage or screen goes over okay, the comic as the principal character in an hour's feature becomes annoying.

Production lacks strong direction or production values and is awkwardly played. There is more opening and slamming of doors than in the average half-hour radio program. Acting technique often consists of posing before the camera and blatantly reeling off the dialog.

Armetta wrestles bravely with impossible situations and even more impossible lines. Of the support, Maxine Leslie, a Los Angeles co-ed, is best, indicating some promise for films. *Wear.*

Bannan and Craddock Upped in U Sales Org.; Chi Meet Sets Program

Chicago, Feb. 11.

After announcing 47 features, plus 14 westerns and outdoorers for 1941-42 season, Universal's three-day sales convention here wound up yesterday (Monday) with William A. Scully, general sales manager, announcing a batch of promotions and staff additions.

Chief of these additions were assistants named for the two division managers, Jack Bannan was appointed assistant to F. J. A. McCarthy, eastern division manager, and Gordon C. Craddock was named aide to William J. Heineman, western division chief, both to be at the home office. Craddock moves up from branch manager at Indianapolis, being replaced by H. H. Hull. W. M. Richardson was appointed branch manager at Atlanta, while James Frew was selected manager for the New Orleans exchange. Scully also introduced Harold Dudoff, India manager, who traveled 30 days from Bombay to attend, and L. L. Foeldes, U rep from Central Europe.

Cliff Work, studio head, announced that Universal stages currently resemble an all-star production with Marlene Dietrich, Irene Dunne, Joan Blondell, Loretta Young and Kay Francis all working on current product.

Business already enjoyed by 'Buck Privates' was responsible for Milton Feld's prediction that the Abbott-Costello team would build into a big comedy combintion on the screen.

John Joseph, Universal publicity-ad chief, explaining the premiere of 'Back Street' in Miami last week, said that U is developing a rep with dailies and the public for consistently entertaining pictures. Nate Blumberg and J. Cheever Cowdin wound up the afternoon sessions with pep talks. Banquet concluded the three-day session.

Announced program, which in addition to features and westerns includes 69 reels of shorts, the newsreel and one two-reel feature, revealed that among stars assigned to pictures are Abbott and Costello, Mischa Auer, Charles Boyer, Virginia Bruce, Carol Bruce, Marlene Dietrich, Deanna Durbin, W. C. Fields, Dead End Kids, Hugh Herbert, Charles Laughton, Carole Lombard, George Raft, Andy Devine, Gloria Jean, Basil Rathbone, Margaret Sullavan, Loretta Young, Franchot Tone and the Andrews Sisters.

Dates for regional sales meetings have just been set. McCarthy meets with his men at Cleveland, Feb. 15; Philadelphia, Feb. 16, and New Orleans, Feb. 18. Heineman begins with Chicago group, Feb. 12; Kansas City, Feb. 17; Salt Lake City, Feb. 19 (including Denver group) and San Francisco, Feb. 21.

Rev. Peale Technically Advising WB on 'Heaven'

Rev. Norman Vincent Peale, pastor of the Marble Collegiate Church, N. Y., goes to Hollywood as a representative of the Protestant faith to act as advisor in the filming of 'One Foot in Heaven' (WB) on invitation of Jack L. Warner.

Rev. Peale was selected as the clergyman to do the job by a group of leading Protestant pastors from various parts of the country who met for the purpose of making the decision in Washington Monday (10). Warner invitation was sent to Dr. Daniel A. Poling of Philadelphia, editor of the Christian Herald.

"I CANNOT TELL A LIE!"

On Washington's Birthday
I'm going to chop down your
old box-office records with

"ANDY HARDY'S PRIVATE SECRETARY"

The Best Yet and that means TERRIFIC!

(and just perfect for Washington's Birthday booking!)

with Lewis Stone, Mickey Rooney, Fay Holden, Ann Rutherford, Sara Haden, Ian Hunter and Kathryn Grayson • Screen Play by Jane Murfin and Harry Ruskin • Directed by George B. Seitz • A Metro-Goldwyn-Mayer Picture

CBS Pays $1,819,500 Income Tax and $810,500 Excess Profit Tax; Big Bite Into $7,436,000 Earning in 1940

The Columbia Broadcasting System made $1,400,000 more last year than it did in 1939, but the net consolidated profit for 1940 was less because of the much heavier taxes it had to pay to the Federal government. CBS in its preliminary financial report issued to stockholders last week estimated the net earnings for 1940 as $4,806,000, whereas in 1939 these net earnings were $5,001,500. With taxes included Columbia's gross profit for 1940 figures $7,436,000. In 1939 this gross take was $6,128,657. The network's gross time billings in '40 were $41,025,549, while the gross overturn for 1939 was $34,539,665.

Net earnings for 1940 as estimated in the report is equal to $2.80 per share as compared with $2.91 per share for the previous year. In 1939 Columbia's Federal taxes amounted to $1,127,157. For 1940 it's paying $1,819,500 for Federal income taxes and $810,500 for Federal excess profits taxes. The difference in tax payments for the two years represents approximately $1,500,000.

Following is the arithmetical setup for the two years:

1940	
Cons. Net Earnings	$4,806,000
Income Taxes	1,819,500
Excess Profit Taxes	810,500
Gross Earnings	$7,436,000
1939	
Cons. Net Earnings	$5,001,500
Income Taxes	1,127,157
Gross Earnings	$6,128,657

Columbia Broadcasting System directors last week declared the initial dividend payable for 1941 with the declaration of a 45c divvy on present Class A and Class B shares. Dividend is payable March 7 to stockholders on record at close of business, Feb. 21.

CBS paid $2 on both class of shares last year, with many distributions of 45c, plus extras, late in the year.

LECTURE ARMY MEN ON PUBLIC RELATIONS

Philadelphia, Feb. 11.

Members of the WIP staff will give lectures on the principles of public relations to officers of the 28th Division, Pennsylvania National Guard, now undergoing preliminary studies at the Valley Forge Military Academy, near here, prior to going into active training at Indiantown Gap, Pa., later this month.

Among the lecturers will be Major Edward A. Davies, WIP vice-president, a pioneer in the organization of public relation systems for the Army. Other staffers to give talks will be Murray Arnold, program director; Ed Wallis, newly appointed publicity head; Clif Harris, technical supervisor; Eddie Mayer, WIP news editor, and William Robinson, director of the WIP recording labs.

Wendell Adams' CBS Job

Wendell Adams has been put in charge of CBS' popular sustaining programs.

He was on the network's production staff, and before that he was in the musical department.

INS, OUTS AT NBC

Schenck in N. Y. from Chicago—Sweetser, MacGregor, Dodge Out

In the reshuffle of NBC's production department last week three men departed and two were added to the staff. The newcomers were Charles Schenck, formerly a production man with NBC in Chicago, and Anton Leader, who comes from Roger White Productions, Inc. The exitees were Norman Sweetser, Sherman MacGregor and Frank Dodge.

Another department move made the appointment of Joseph S. Bell and George Maynard, staff production men, as assistants to Wilfred S. Roberts, eastern production manager. Bell will supervise dramatic programs and Maynard musical shows.

Old Dutch Cleanser's 'Bachelor's Children' To Red; Formerly MBS, CBS

Chicago, Feb. 11.

'Bachelor's Children' show, which has been on Mutual, and now on Columbia, for Old Dutch Cleanser, shifts to NBC-Red on March 24.

Set through the Blackett-Sample-Hummert agency, show will gallop Monday-through-Friday at 9:15 a.m. CST over 35 outlets.

Old Dutch is a product of the Cudahy Packing Co.

SEEDS AGENCY ADDS EDWARDS, AUSTIN

Chicago, Feb. 11.

Russell Seeds agency last week hired Fred Edwards to be radio time buyer and Calvin Austin to be a new business contact. Edwards is from Fort Worth and Austin from Blackett-Sample-Hummert.

Heretofore only Seeds agency's head man, Freeman Keyes, has concentrated on new accounts.

Ralph Miller Succeeds Chapman as WKY Exec

Oklahoma City, Feb. 11.

Ralph Miller, formerly advertising manager of the Farmer-Stockman, has become the new commercial manager of WKY. He relieves Robert Chapman, who returns to the national 'advertising department of the Oklahoman and Times.

Miller has been in New York for the past year as manager of the Basic Newspaper Group, Inc.

Miami-Seattle Jump

Chicago, Feb. 11.

After six weeks in Miami, the Lew Valentine 'Dr. I. Q.' quiz show for candy scrams north for a six-week run for the stage of the Orpheum in Seattle.

Shift takes place as of Feb. 24. Set through the Grant agency here which handles the Mars account.

High Strategy Among Sponsors

One of the byplays in radio which both intrigue and amuse observing advertising men is the game of chess which goes on among big users of daytime network periods. The pawns in this game are programs and the object of the shuffling of a dramatic serial from one spot to another is to whittle down the pulling power, or rating, of a competitor's show.

A notable devotee of this game is a soap manufacturer. This company will notice that a competitor's has moved up among the leading daytime serials as far as ratings are concerned. The chess-minded manufacturer will then scan the ratings of his own shows. His next move is to pick out one of the toppers and spot it opposite the competitor's high-rating serial. Not infrequently there is attached to the shifted program a product which is in direct competition with the product advertised on the other manufacturer's high-rating serial.

It is also not uncommon for the chess-minded sponsor to take a chance of sacrificing the rating of his own show so long as he is able to knock the competitor's serial off its popularity pinnacle. To a certain degree it's the dog-eat-dog philosophy applied to radio, and general reaction of these advertising men is that its nothing to get disturbed about. Business is quite accustomed to it.

One manufacturer makes a fast move one day and gets himself an edge, but the competitor bides his time and when the opportunity avails itself he likewise has no qualms about striking quickly and as devastatingly, if need be.

15-YEAR-OLD SINGER BACK FROM NBC, CHI

St. Louis, Feb. 11.

Betty Barrett, 15-year old singer from KWK who has been networking from Chicago, is back at KWK with two programs daily. Discovered by Bert Igou three years ago girl became a big fave locally and was grabbed six months later by NBC.

She now warbles with Al Sarli's orchestra every a.m. at 10:45 o'clock and again in the p.m. with the KWK studio orch.

U.S. Agency (Toledo) Men Join Kastor in Chi; Accounts to Follow?

Chicago, Feb. 11.

Kastor agency here has added a flock of execs from the U. S. Advertising agency of Toledo, Seven key men move over and there is reported in this wholesale shift a possibility that a couple of the top accounts may also shift.

Three top U. S. agency execs moving from Toledo to Chi are president Harold Merillat, exec v.p. John Tolgo, who was chief of copy and production, and George Piper, v.p. for marketing and media. Others shifting are T. O. Gibbs, Arthur Gerkin, Ralph Salor and Hazel Kelly.

Another Kastor agency acquisition is Weston Hill, coming from a long sojourn with Ruthruff & Ryan and Blackett-Sample-Hummert agency.

Toledo, O., Feb. 11.

The U. S. Advertising Corp. said no accounts were going to the Kastor agency with the men and that the company here was continuing operations as in the past.

22-Year-Old Announcer Dies of Heart Attack

Buffalo, Feb. 11.

Feeling a heart seizure coming on, Announcer Herbert (Reed) Barden of WGR-WKBW pulled his car to the curb of a downtown street Wednesday night (5), where police, notified by passersby, found him dead at the wheel. He was 22.

Barden left a local newspaper job in 1938 to join announcing staff of WEBR, going to WBNY before joining WGR-WKBW.

Besides radio, Barden also was a member of the Roadside Players, stock group. He is survived by his parents and a sister.

Renew Glenn Miller

Glenn Miller is being renewed by Chesterfield for another year. Details of the new contract have been completed and signatures will be exchanged shortly, even though the present contract doesn't expire until the end of March.

Miller's salary for the three weekly programs, plus rebroadcasts, is given as $4,850.

KDYL's 250-Seater

Salt Lake City, Feb. 11.

New radio center for KDYL, Salt Lake's NBC red outlet, begins construction in 60 days, or as soon as the weather permits.

Building will cost $125,000, and will be a three-story reinforced concrete structure, including a 250 capacity theatre.

AFRA Negotiates in Scattered Areas

Detroit, Cincinnati, Portland, St. Louis Huddles—Break Off Relations With Three in Miami

RADIO BONERS

$5 Prizes Draws Lots of Evidence—Jokes Mistaken

Milwaukee, Feb. 11.

The Milwaukee Journal and WTMJ started something last September when they began offering a $5 prize weekly to the listener sending in the best radio boner that could be cartooned for its Sunday amusement section. Edgar A. Thompson, radio editor, asserts that between 500 and 600 letters now come in every week, which means there are an awful lot of boners pulled (from any station), even though there are some duplicates in the responses and an occasional dimwit mistakes a radio comic's gag for a boner.

American Federation of Radio Artists has new contracts and renewals in various degrees of negotiations with a number of stations in different parts of the country. Among the outlets with which pacts have just been signed are WWJ (new) and WXYZ (renewal), both in Detroit, and WLW (renewal), Cincinnati. New contract has been accepted by KWK, St. Louis, and will be signed as soon as Robert T. Convey, the station's general manager, returns from Washington. Renewal pact with KSD, St. Louis, is said to be in the 'last stages' of negotiation.

Huddles regarding contracts are currently being carried on with KGW and KEX, Portland, Ore., and with WKRC, Cincinnati. Negotiations have just been broken off with three Miami stations, WIOD, WMAQ and WKAT. James Porter, one of the union's two national organizers, left the Florida resort last week and, after a short visit to the national headquarters in New York, returned to his regular office in Detroit. He will remain there indefinitely. Hyman Faine, the other national organizer, is currently in St. Louis, but will leave soon for his regular headquarters in Cincinnati.

Detroit Convention

Several of the AFRA locals have named their representatives to the committee which is drawing up four constitutional amendments, to be submitted to the national convention Aug. 14-17, in Detroit. Four suggested changes would effect the union's internal structure and, since they were of a complicated nature and not immediately necessary, were turned over to a special committee for clarification. Everett Clark is chairman of the group, whose members so far include Alex McKee, Kenneth Roberts and John Brown, of New York; Virginia Payne, Phil Lord (not writer-producer Phillips H. Lord) and Dan Sutter of Chicago, Gwen DeLany of Detroit, and Dell Gibbs of Dallas.

New York local will henceforth hold its regular membership meeting quarterly instead of monthly, as before. Idea is that with few pressing issues currently before the local, better attendance will result if the sessions are held less frequently.

Priest Warns of 'Dangers' Of Radio Propaganda By Emotional Newscasters

Albany, N. Y., Feb. 11.

Rev. William M. Slavin, member of the Catholic Central High School faculty and commentator for several years on the Catholic Laymen's Radio Guild's Sunday afternoon program over WABY, told members of the Parent-Teacher Association of Sand Lake and Poestenkill 'I consider the radio more dangerous than the newspapers in the broadcasting of propaganda.' Father Savin, who has severely air-criticized 'radio commentators,' explained to the PTA that he thought 'radio broadcasters are more apt to be emotional and to rely less on facts than newspaper correspondents.'

Father Slavin, in a recent broadcast, blasted radio commentators for criticizing Col. Charles A. Lindbergh on the alleged ground the famous flier, testifying before a Congressional committee, was inexperienced in foreign affairs. Father Slavin, declared sarcastically, these same commentators felt qualified to discuss international matters, economics, politics, theology and 'anything else that comes into their head.'

AFRA Tags L. A. Stations 'Unfair'

Vic Dalton's KMTR, Ben McGlashen's KGFJ Draw Frown From Talent Union

Los Angeles, Feb. 11.

Two indie stations, Vic Dalton's KMTR and Ben McGlashen's KGFJ, have been declared 'unfair' by American Federation of Radio Artists. National board has approved decision of the local chapter and members of AFRA, Screen Actors Guild, Actors Equity and other affiliates of Associated Actors and Artistes of America have been advised that their acceptance of work with either station will jeopardize their standing.

KMTR is charged with firing announcers because of their union ties and refusal to negotiate for an AFRA shop agreement. KGFJ has refused to sign an AFRA agreement, according to officials of the Federation.

First offshoot of the taboo was the cancellation of a broadcast over KMTR tonight (Tues.) by David O. Selznick of lobby ceremonies at opening of 'Rebecca' at the Hawaii theatre. Stars of the picture and other celebs were to have been interviewed as a KMTR feature.

Labor Board to Hear Charges

Case of Announcers at WIOD Before NLRB in N. O. —AFRA Brings Up Novel Compensation Claim

Unique point is being raised by the American Federation of Radio Artists in a National Labor Relations Board complaint being filed this morning (Wednesday) against station WIOD, Miami. Case is being brought before the board in New Orleans, which has jurisdiction over Florida labor cases.

Issue involves two announcers, Bill Pennell and John Simpson, whom the station, AFRA alleges, fired because of union activities. Union is demanding their reinstatement with pay for all the intervening time. In addition AFRA is raising a novel issue in asking that the men be also paid the regular fees for commercial programs from which they were dropped. Explained by the union that their employment on the sponsored shows was dependent on their being members of the station's regular announcing staff.

Henry Jaffe, attorney for AFRA, is handling the union's case. James Porter, national organizer, has been discussing the cases and the matter of a regular AFRA contract with the station. AFRA has also been dickering with the two other Miami outlets, WQAM and WKAT, but confabs with all three have since been broken off and Porter has returned to his regular headquarters in Detroit.

DIVIDE ON HARI-KARI CLAUSE

Students' Daft Ideas of ASCAP-BMI

Detroit, Feb. 11.

That BMI-ASCAP row now has reached the classrooms and evidence uncovered pictures a great public fog. Here are a few of the answers to a question presented to 200 Intermediate School pupils by Lorraine A. Wachner, a graduate student in radio broadcasting, as a project conducted under the supervision of Wayne University.

Asked 'What do ASCAP and BMI mean to you?', the pupils answered:

1. *They are colleges in the South.*
2. *It means that orchestras can't play what they want to over the radio.*
3. *ASCAP and BMI have gone on a strike. Whoever strikes the longest wins and the other has to pay him a copyright.*
4. *BMI stands for the Boston Medical Institute.*
5. *ASCAP is a kind of code language which is used instead of English while the war is on. They use it on the radio.*
6. *BMI has taken most of the popular records away from ASCAP and won't let them have them back unless they pay a lot of money.*
7. *They are two companies who had a dispute. BMI won, so ASCAP can't play their music.*
8. *BMI—I don't know. ASCAP is a kind of soap you use when you get eczema.*
9. *They are codes that are used during wars. They are using them over short-wave radio stations right now.*

(Only about one-tenth the answers showed a 'semi-clear' idea of what it was all about, Garnet R. Garrison, director of the university's radio department, said after the survey.)

GUATEMALA IS WEIGHING CBS TERMS

Guatemala City, Jan. 30.

Radioifusora Nacional has received an offer from H. V. Akerberg, a vice-president of the Columbia Broadcasting System, who was recently in Guatemala, and may decide to accept. Guatemala radio men considered proposed terms reasonable with the exception of the clauses binding Radioifusora to Columbia exclusively. This was unacceptable and was immediately crossed out, apparently without objection from Akerberg.

The president of Guatemala is studying the Columbia document further.

Belle Baker's Son a Writer

New Haven, Feb. 11.

Herbert Abrahams, son of Belle Baker, the vaude headliner makes his radio debut Feb. 24 authoring 'Rubaiyat of Homer Kahn,' to be presented by Yale drama department's Listeners theatre on WICC and Colonial net.

'PRESS-RADIO SEPARATION'

Theme of Ernst Talk at Civil Liberties New York Meeting Today

The American Civil Liberties Union is devoting today (Wednesday) to a luncheon and meeting at the Hotel Commodore, New York. Scheduled to speak on censorship and allied matters are these radio representatives: Joseph Miller of N. A. B. Telford Taylor and James Fly of FCC, Lundsford Yarnell of NBC, Mathew Gordon and Raymond Gram Swing.

Quincy Howe will preside over the censorship panel discussion. Morris Ernst will discuss 'The Separation of Radio and Press' in probably the day's most significant address.

COURTNEY'S DEPARTURE ENDS WMCA'S OWLING

WMCA, New York, dropped all-night operation following last Friday's (7) owl program. Instead of 24-hour operation, which had been in effect for couple months, the outlet will return to a 1:15 a.m. shutdown.

Station advances no reason for the change other than the fact that Alan Courtney, who had m.c.d the shows, has left to become night program manager at WOV, New York.

Exempt Radio Children

Amateur Programs Are Specifically Guarded From Force of Proposed Child Labor Statute

Albany, Feb. 11.

The five-page Ehrlich-Hampton bill proposing a uniform law throughout New York State on the employmetn in show business of children under 16, new carries this exception as to radio: 'The provisions of subdivision on B of this section (prohibiting employment as an acrobat, rider, singer, dancer, musician, trouper, etc., whether or not an admission fee is charged and whether or not the child or any other person is to be compensated for the use of such child therein 'Shall not apply to the participation or employment, use or exhibition of any child....' for not longer than one hour a week in any amateur radio programs in cases where persons broadcasting so from the principal broadcasting studio of a regularly licensed broadcasting company during hours when attendance upon instruction is not required by the education law.' The phrase 'amateur' is no further defined. In fact, the whole matter of radio has never been touched or clarified, under present laws relating to employment of kids, it is understood.

The prohibitions generally of subdivision B may be waived by permission of local boards of education, school districts, etc., applications for such consent to be made at least 72 hours before the proposed performance. Applications shall specify the true and stage name of the child, the place and date of its birth, names and residences of parents or guardians, the nature, time duration and number of performances for which permission is sought and the place and character of the proposed exhibition.' Also 'a true and accurate statement' detailing 'the entire part to be taken and each and every act and thing to be done and performed by such child.' The applications must be acted upon 'forthwith' and 'in no event be delayed in excess of forty-eight hours after the receipt thereof.'

MODESS FOR RADIO?

Young & Rubicam Trying to Beat Kotex Verboten of 10 Years

Young & Rubicam is seeking to get Modess on the air. Kotex failed for 10 years all efforts to use radio advertising.

Agency is figuring on a test campaign, but meanwhile it has submitted for approval to stations some copy it has worked up on the product.

ASCAP INSISTS UPON 'POOLING'

Tells Department of Justice It Cannot Hope to Survive If Stripped Down to Mere Police Organization

FAIR OUTLOOK

Only significant change in the negotiations between the U. S. Department of Justice and ASCAP for a consent decree during the past week is that both sides have softened up somewhat. Both factions have made concessions, but the whole deal can still blow up and the next day or two will tell whether peace with radio is in the immediate offing or whether the controversy is doomed for a stand of many months in the Wisconsin courts. In any event the ASCAP board agreed at an all-day session Monday (10) that the decree now under discussion gives the organization a much better break toward continued existence than the one the Goverment offered the Society last December.

The Government and the ASCAP board have pretty well reached an agreement on all points but one, and it is according to the disposition which the Government makes of this point that the entire outlook of the Society pends. On this particular point, paragraph one of the department's proposed decree, devolves, contend the ASCAP directors, the future existence of their organization. If the paragraph in question is revised to the point where ASCAP can go on operating as a licensing pool as well as a policing setup, the consent decree will be signatured and filed with the Federal court in Milwaukee by the end of next week. If the Government's legalites stand pat on this provision, the outlook, ASCAP boardmen agree, is fight, and more fight.

The provision in the consent decree which now looms as the crux between peace and war is as follows:

Defendant is enjoined from acquiring or asserting any exclusive right in any musical composition as agent, trustee or otherwise on behalf of any copyright owner or other owner of the performing right, or pursuant to any understanding or agreement with such owner to pay for such right a share of or an amount measured by the receipts or revenues of ASCAP.

To consent to the above provision, ASCAP directors hold, would be tantamount to suicide for the Society. The Society under this paragraph is not only barred from dealing in performing rights pools but is prevented from basing its royalty allocations on the Society's gross collections. In other words, ASCAP could only continue as a policing organization providing enough copyright owners agreed to pay it a percentage of the royalties they collected.

Other Clauses

As for the other provisions in the proposed consent decree ASCAP has either agreed to each one individually or succeeded in getting some of the stiff phrasing revised. It has agreed to exercise 'discrimination in prices or terms between licensees similarly situated, subject to differentials based upon applicable business factors.'

ASCAP has also agreed to license its music on any one of three bases, per piece, per program or in bulk, but where it holds it has gained a decided advantage over the proposed decree of last December is that the present decree applies the fee at the source, so that ASCAP can collect directly from the networks. ASCAP has never favored at heart any plan but the bulk arrangement, but it harbors the hope that what it may lose bulk payments from individual stations will be more than overcome by the coin that will most likely be ASCAP's when it is able to

(Continued on page 26)

Fio-Rito Music in Vacated Weems Time

Mars Takes Pre-Benny Slot as Music Lore Show Folds—Mills Buys 'Lone Ranger'

WIP TO MUTUAL

100% Tie-up Ends WFIL's Philadelphia Link

Philadelphia, Feb. 11.

Beginning March 1, WIP will be the exclusive Philly outlet for the Mutual Broadcasting System, it is revealed by Benedict Gimbel, Jr., WIP prexy. He signed a contract last week with W. E. MacFarlane, MBS president, in Chicago.

Granting WIP sole franchise for Mutual programs here marked the end of a year's feud between the network and WFIL, which at one time was Philly's only MBS affiliate. WFIL is also outlet for NBC-Blue and is key station for the Quaker Network.

Consequently the station had been in hot water with Mutual due to its inability to carry many of the network's programs here because of commitments to the other hookups. Last fall MBS began feeding some of its programs through WIP, with the number gradually increasing early this year.

The coolness between WFIL and Mutual was accentuated two weeks ago when the station failed to invite any of the network's officials to the Poor Richard advertising club's banquet, while inviting virtually all of NBC's bigwigs.

WFIL will continue to carry Mutual programs whose contracts have not expired. When they have renewed they will be shifted to WIP.

Windy Hogan, F. Krueger On WHOM All-Nite Show

Using Windy Hogan and Frank Krueger, WHOM this week started an all-night program, scheduled to go on air at midnight and continue until 7 a. m. Hogan rated as the station's new ad-lib find, has replaced George McCoy, who now does his Broadway street interviews over WEAF.

Early morning stint will feature records, with recorded music including ASCAP and BMI tunes. Hogan continues his 11:15 p.m. show.

G. W. Johnstone, radio director of Democratic National Committee, to Florida.

General Mills folds its 'Beat the Band' quiz with Ted Weems band on the NBC-red Feb. 23 and the following Sunday (2) Mars candy will take over the pre-Benny spot (6:30-7 p.m.) for a variety program headed by Jackie Heller and Ted Fio-Rito's orchestra. There will be also guests and an m.c. The hookup will consist of 28 stations.

The Weems show, which plugs the cereal, Kix, is a quiz which requires the band's personnel to demonstrate a wide acquaintance with pop musical lore. Weems will have completed a year's run for the account. General Mills has meanwhile contracted for 'The Lone Ranger' on Mutual and will underwrite a hookup of around 40 stations for the western starting in May. The allied produc will be Kix.

Mrs. maker of the O'Henry bar also has the 'Dr. I. Q.' quiz. Gran is the agency on the latter and the new show.

'CLICK' NEWEST MAGAZINE ON AIR

Click has joined the list of magazines using radio. It's buying spot announcements. Making avallability inquiries in behalf of a mag is the Raymond Spector agency. The object in this case is chain break announcement, but with Spector officially declining to disclose the name of the mag for the time being.

Other current radio users among the mags are Liberty, Look and Friday.

Mrs. F.D.R. on 'Bridge'

Mrs. Franklin D. Roosevelt makes another appearance on WMCA, New York's 'Friendship Bridge' program Feb. 19.

Show airs locally, but it's main purpose is for shortwave transmission to England via WRUL, Boston.

Abandon 'ASCAP on Parade'

Society's Propaganda Series Ends After Third Program—'Benefit' Characteristics Made It Tough

Billy Rose and Oscar Hammerstein, 2d, gave their ultimatums to ASCAP Monday morning (10) that they'd have to bow out of the 'ASCAP on Parade' radio shows, as producer and scripter respectively, because it was evolving into a full-time job, and that afternoon the ASCAP board decided to drop the entire series. Only three of a projected 13-time sequence had been given.

Rose found that it was a last-minute proposition; that while the pro-ASCAP radiocasts were in the nature of 'for the common cause,' it still resolved itself down to a 'benefit,' meaning that the free-talent stars had to be humored and coddled. Lone exception was Al Jolson, who starred on the second show, and was actually sore that he hadn't been invited to be on the debut program.

Bad Set-Up

Being a 'benefit,' it became a catch-as-catch-can proposition, and Rose had little assistance in lining up names. Result was that all day Saturday was the actual whipping-into-shape, working right up until the 8 p.m. start for the hour's show, befor an invited audience at WMCA which, with WOV, WNEW and WHN, in New York, picked it up on a hookup, along with a couple of other indie stations in Philadelphia, Washington and Baltimore. Thereafter the show went out gratis to some 117 indie outlets on platters. For the New York live broadcasts, ASCAP had insisted on paying for the time, despite the generous array of free name talent to the stations, and a deal was set for 50% of the card rates. Only the Robert Russell Bennett orchestra of 24 and Robert Shaw's choir of 18 were paid, and it was this last-minute throwtogether of the show which didn't reflect as favorably as it might on the orchestral and vocal arrangements.

Rose is planning to put a new Lisamond Horseshoe (nitery) show into rehearsal in three weeks, and Hammerstein has a Broadway operetta commitment with Sigmund Romberg, which forced him to quit scripting 'ASCAP on Parade.'

Some choose to see in the Society's decision not to substitute a new producer and scripter as a clue to an early accord with both the Government, via the consent decree, and with the broadcasters on a new licensing basis. However, it doesn't necessarily follow that the D. of J. consent decree would influence a hasty pact with the network broadcasters.

Big League Broadcasts Called Bad For Attendance in Home Town Parks

Philadelphia, Feb. 11.

The Inter-State Baseball League meeting here last Thurs. (6) voted to ban the broadcast of major league games from stations in the eight cities whose teams make up the Inter-State League. Officials of the league blamed the airing of big league games for loss of patronage that has brought serious financial difficulties to many of its teams.

The ban—if upheld by Judge Kenesaw Mountain Landis—will be a blow to the stations involved as the baseball account was a lucrative one during the slack summer season. Cities in the league are Wilmington, Allentown, Harrisburg, Reading, York, Lancaster, Trenton and Hagerstown, Md.

Arthur H. Ehlers, executive vice-president, said he was confident that the league's action would be upheld by Landis under organized baseball's 'territorial rights,' which forbids any team to operate within ten miles of the outskirts of another city in organized ball.

'We're doing this principally because the fans in our cities tune in on major league game broadcasts and quit coming to see their home teams play,' Ehlers said.

Ehlers said Landis could forbid the Athletics and the Phillies to allow their games to be broadcast in the ight cities in his league. (Games were broadcast last year under sponsorship of the Atlantic Refining, General Foods and Socony Gasoline). It would be impossible, he said, to forbid fans in those cities to tune in on games broadcast direct from Philly.

However, pumping of games to local stations or rebroadcast of recordings of the games, would be strictly verboten. Virtually all of the teams in the Inter-State are owned or controlled by big league outfits.

105 Stations Have Flanagan Discs From WLW

Cincinnati, Feb. 11.

Addition of five outlets this week makes 105 stations, in 27 states, that are carrying weekly half-hour programs sponsored by Father Flanagan's Boys Home in Boys Town, Neb. They originate Sunday afternoons on WLW. Series started Oct. 6, last. Recordings are made in the Crosley studios under supervision of Harold Carr, WLW production chief.

John Amrein plays the role of Father Flanagan in episodes dramatizing cases of homeless and abandoned boys coming under the latter's care. Others in the cast, all from the Crosley talent staff, are Lon Clark, Ray Shannon, Minabelle Abbott, Frances Weil, Christine Klein, Mary Louise Lantz, Joe Harding, Bob Kappas, Tommy Kane, Wells Ginn and Billy Martin. Scripting is done by Van Woodward, who accompanied Carr on several trips to Boys Town to absorb atmosphere.

WMCA Asks Dismissal

Knickerbocker Broadcasting Co., Inc. (WMCA), asked the N. Y. supreme court yesterday (Tuesday) to dismiss a $100,000 suit against it brought by the Broadcast Producers of N. Y. Reasons advanced for the dismissal are lack of prosecution.

Plaintiff claims to have created a radio program called 'Makers of Men' and submitted it to WMCA. It is claimed the defendant appropriated it for itself and ruined a deal plantiff had with Emergency Shelter, Inc., for the program's sponsorship.

Divorces Eric Howlett

Detroit, Feb. 11.

Charging that he refused to give up 'a strange woman' thus blocking a reconcillation between them, Eric S. Howlett, dramatic director for Station WJR here, was divorced by his wife, Anna.

Circuit Judge Adolph F. Marschner ordered him to pay $200 monthly for the support of the couple's two daughters.

Naylor Rogers Out As WOV Shakeup Goes On; Courtney Spans Evening

Personnel changes at WOV, New York, which had the station in a turmoil last week, are continuing. Arde Bulova, who suddenly took over active management of the outlet, dropped two more executives and a number of minor employees this week. Other changes may follow.

Naylor Rogers, recently brought from the Coast to be general manager, left at the end of the week. Hyla Kiczales, who was manager of the station before it was moved to its new location and who became Rogers' assistant, has been given a month's leave and reportedly sailed Monday (10) on a West Indies cruise.

Harold A. Lafount, general manager of all Bulova stations, is currently in nominal charge of WOV, with Arthur Simon, manager of WPEN, Bulova's Philadelphia outlet, brought in as temporary assistant. However, Bulova is said to be retaining active control.

Reportedly a new general manager and new sales manager are to be hired, but there is no indication who or when. Bulova, who brought Eddie Davis and his orchestra from La Rue's restaurant, N. Y., as house band, replacing Jack Meakin, is understood putting in still another crew at the end of this week. Meanwhile, the station continues with a program of recorded dance music from 6 p.m. to midnight nightly. Alan Courtney, previously handling an early morning recorded show over WMCA, New York, does the nightly six-hour stint on WOV, besides holding the title of night program manager.

Station's daytime schedule, currently booked with Italian language commercials, may be drastically shuffled. Five-minute news programs in English will be aired every hour on the hour, with Dave Casem shifted from publicity to news.

Sales meeting was held Friday (7), but no rate schedule was set. It had been previously stated that the station would establish a new rate card and 'stick to it.' Bulova is understood to be planning to shift the program policy to an all-English one.

Horace Hagedorn Quits H. W. Wilson Rep Firm

Horace Hagedorn, New York manager for the H. W. Wilson rep firm, is resigning as of April 1. He has been with Wilson since 1937, previously having had a firm of his own in 1936-37, and before that acting as representative for the Virginia Broadcasting System. Hagedorn is also originator of the Broadcasters Bull Session, a weekly get-together of colleagues in the N. Y. end of the biz.

No replacement as yet announced by H. W. Wilson, nor has the resignee indicated his new connection.

WFIL's F-M Adjunct

Philadelphia, Feb. 11.

WFIL has been granted permission by FCC to build an F-M station to broadcast on 45,300 kilocycles. Construction is expected to be completed within 90 days and the station scheduled to take the air May 1.

Studios, control room and offices of the F-M station will be built on the 18th floor of edifice which houses the present WFIL studios.

Norman Reed Off WBAB

Atlantic City, Feb. 11.

Norman Reed, manager of Atlantic City's WBAB, since it began more than year ago, resigned Friday (7) to become program manager for WWDC, Washington, D. C. John L. McClay, staff announcer, was upped to succeed Reed as manager of WBAB, only newspaper-owned radio station in New Jersey.

Before heading WBAB, Reed was general manager of old WPG, city-owned station here for many years. In Washington, he will work under Edwin M. Spence, who preceded him as manager of WPG. Spence was for many years, secretary of National Association of Broadcasters and holds like post in National Independent Broadcasters.

Keeps 'Em Awake

Atlanta, Feb. 11.

J. Leonard Reinsch, manager of WSB in Atlanta, claims the new announcers' bonus system recently put into use here is 'the best method yet devised to insure systematic and conscientious work by the men who face the microphones.'

The amount of each week's bonus for announcers is determined by amount of station business for the week. Spielers who make serious bobbles are docked half or all of the bonus, depending on the nature of the mistake.

B'KLYN BATTLE ENDS IN WWRL VICTORY

Washington, Feb. 11.

Long wrangle over assignment of the 1500 kc frequency between three Brooklyn stations was virtually settled Wednesday in favor of WWRL, Long Island Broadcasting Co. In a proposed decision the Federal Communications Commission advocated three dismissals with prejudice and two denials on five applications involved in the case, plus a grant of WWRL's plea for use of the hours formerly allocated to WMBQ and those presently used by WCNW. Final adoption of the tentative decision will end a long siege of hair-pulling between the Brooklynites.

No evidence has been offered by the Metropolitan Broadcasting Corp. (WMBQ, Brooklyn) in support of its request for a renewal of license, Commish found in recommending dismissal with prejudice. Similar treatment was proposed on the application of Lillian E. Kieter, Brooklyn, for WMBQ's facilities, since no evidence was forthcoming from applicant. Denial of a second application for WMBQ's facilities—filed by Paul J. Gollhofer—was recommended because applicant has 'failed to sustain the burden of proof that he is qualified to construct and operate a broadcast station, and in view of the manner in which he (Gollhofer), as president of the Metropolitan Broadcasting Corporation, operated station WMBQ . . .'

Spanking was delivered to Arthur Faske, licensee of WCNW, for operation of the station in violation of Commish rules and failure to sustain the burden of proof that continued operation of the station would be in the public interest. Faske's request for hours of operation formerly allotted to WMBQ and WWRL's present operating hours should be dismissed with prejudice regulators agreed.

Confirmation of the proposed decision will give WWRL the operating hours of WMBQ and WCNW, plus a renewal of license.

RUGGLES ON SUDS PLATTERS

Hollywood, Feb. 11.

Beer accounts, verboten on the networks, will put a radio head on their lager via a transcription series framed by Van Fleming. Half-hour variety show headed by Charles Ruggles is being peddled nationally only to breweries, due to the nature of the setup. Acme beer has bought the series for the Coast.

On the talent side with Ruggles are Benny Rubin, Betty Jane Rhodes, vocalist; Dave Rose's orchestra and Bill Brandt's 'Singing Waiters.' Fleming also handles the Mutual co-op'er, 'I Want a Divorce.'

Spud on Mutual

Chicago, Feb. 11.

Axton-Fisher tobacco (Spud cigarets) has lined up an 'idea' dramatic series to start on a Mutual hookup in March. Precise nature of the show isn't known, but it's reported to be a twice-weekly 30-minute stanza with guest names.

Principal matter remaining unsettled is the selection of stations to carry the series. Weiss & Geller is the agency.

From the Production Centres

IN NEW YORK CITY

Raymond Paige, due back today from Florida, flew to Havana for a meeting of composers and conductors. . . . Stan Lomax, WOR sports commentator, making a series of 300 short transcriptions for local commercial airing. . . . New York's municipally-owned station, WNYC, is currently airing two weekly dramatic shows based on democratic themes. One is 'Created Equal,' a 60-minute stanza about great leaders of liberal thought, spotted at 5 p. m. Sundays. Other is about 'The Bill of Rights' and is a 30-minute program scheduled at 1:30 p. m. Saturdays. Both started last weekend. . . . 'Created Equal,' to run 26 weeks, will have scripts by Warren Pack, Howard Cook, Robert Ross and Edward Goldberger, with Mitchell Grayson directing. 'Bill of Rights,' heard on Columbia's 'Pursuit of Happiness' program last season, is scripted and directed by Grayson.

Alois Havrilla doing still another news series over WOR five nights a week. . . . 'Pageant of Art' moved up from late afternoon to replace 'Wings Over America' at 12:30 p. m. Sundays over NBC. . . . Alma Kitchell's 'Pin Money Party' moves from Monday morning to Thursday afternoon on the same hookup. . . . WOR is trying a series of five and 10-minute novelty shows Saturdays between 8:15 and 8:30 a. m. . . . Joe Marsala guests on WNYC tomorrow (Thursday) afternoon. . . . 'Ghost Town,' the Richard Rodgers ballet score, will be played over WNYC tomorrow evening.

'Can You Top This?' with Joe Laurie, Jr., Harry Hershfield and Senator Ford, moves from 9:30 to 8 p. m. Monday nights and extends to the Mutual network starting next week (17). . . . Eddie Davis' orchestra, from LaRue's restaurant, N. Y., doing an audition week as house band at WOV. . . . 'Gasoline Alley,' based on the comic strip, starts a five-a-week ride over WEAF-NBC next Monday (17), after two buildup spots this week. . . . Kane Campbell is scripting it. . . . Muriel Angelus, legit and film actress-singer, and Emma Otero, Cuban vocalist, each doing twice-weekly series on WEAF-NBC.

Isabel Manning Hewson doing new Monday-Friday series 'Morning Market Basket' on WEAF locally. . . . 'Weekend Whimsy,' variety show with Dick Dinsores band, Loulie Jean, Kenny Gardiner and Doug Browning, newcomer Saturday mornings on WEAF-NBC. . . . Dorothy Thompson now sponsored by Savarin Coffee Sunday nights over WOR. . . . 'Guy Hedlund Players, dramatic stanza originating at WTIC, Hartford, starts March 1 on WEAF-NBC. . . . Stella Unger begins a Hollywood news series Feb. 22 in the Saturday afternoon spot on NBC red, replacing 'Calling All Stamps' . . . . Edith Meiser due back from the Coast in about a month.

Procter & Gamble boosted the outlay 10% for Sandra Michael's 'Against the Storm' serial, so John E. Gibbs, the package-producer of the show, passed along a similar hike to the cast. . . . Stand By, the AFRA magazine, carried its own symposium on Joe Julian's VARIETY article about radio acting. . . . Jessica Tandy, Raymond Edward Johnson and Burford Hampden noons. . . . Jessica Tandy, Raymond Edward Johnson and Burford Hampden to play the leads in 'Of Human Bondage,' next Wheatena Playhouse drama.

Paul Hernried former Vienna and London legit and film actor currently in 'Flight to the West,' at the Guild theatre, also in the cast of 'Kate Hopkins' and will do a new part being written into 'Against the Storm'. . . . That intermiiiable silence in the middle of last week's Ethel Barrymore anniversary program resulted when an NBC engineer on the Coast pushed the wrong button. . . . it affected only the eastern portion of the hookup. . . . incidentally, those present at the broadcast confirmed the apparent fact that Miss Barrymore was crying at the beginning and end of her thank-you speech. . . . listeners also noticed that the actress addressed her brothers as 'Lionello' and 'Jake.'

'Information, Please' will bring back Oscar Levant, now making a picture on the Coast, for Feb. 21 broadcast. Sir Willmott Lewis, chief American correspondent of London Times, and Jan Struther (on several times before) guested last week. Clifton Fadiman clicked a howl when he remarked, after John Kieran had answered a difficult three-part question on mythology: 'I don't think the Quiz Kids could have done any better.'. . . . Boake Carter had his sister, Sheila, as guest on Mutual to tell of work of the Boy Scouts in England since the start of the war. She spoke of their activities up to the time she left Britain last fall and of what she had learned, via letters, since. . . . Al Shean substituted for Howard Lindsay on transcribed interview with Wilfred Funk, lexicographer and author, in 'Life With Famous Fathers,' radio series, plugging 'Life With Father' stage hit. Deems Taylor pinch hit for Lindsay on another platter.

Edward J. Content, WOR assistant chief engineer, representing the station at the Broadcast Engineering conference next week at Columbus. . . . Richard James, network serial actor, chatting about plays, books and current topics between records on WQXR's daily 'Breakfast Symphony' . . . . Rhys Williams, native Welchman currently in 'The Corn Is Green,' at the National, N. Y., will do an all-Welch program March 1 over WOR to celebrate St. David's Day, the Welch national holiday. . . . Jack Eigen, Broadway and Hollywood spieler for WMCA, has authored a stage comedy, 'Radio Commentator'. . . Clayton 'Collyer and Neill O'Malley, new announcers on WOR's 'Battle of the Boroughs'. . . . Barbara Barton did a one-time commercial job on the Lowell Thomas show.

IN CHICAGO

Herb Butterfield and Stanley Waxman with the 'Bachelor's Children' cast. . . . Margery Mayer back on the 'Hymns of All Churches' show. . . . Harlan Ware on his feet after a flu siege. . . . John Chalbeck and John Hodiak added to the 'Story of Bud Barton' and Sharon Lee Smith is with Bob Becker's program. . . . Paul Engle of 'Always the Land' guesting on Ethel Reid Winser's interview show over WJJD. . . . Eddie Chase on WIND with new evening platter program tagged 'On the Record'. . . . 'Night Watch' four-hour post-midnight show celebrates its fifth anniversary on WIND this week.

Recent 10th anniversary of University of Chicago Roundtable program over NBC brought back to the mike the three professors who participated in first broadcast. They were T. V. Smith, Percy Boynton and W. E. Garrison. Trio reviewed and interpreted the decade during which Roundtable has been a Sunday network feature.

Burridge Butler, WLS chief, to Phoenix, Ariz., where he operates KOY . . . . Percy Faith and Louise King back from Toronto where they appeared on special CBC War Bond show. . . . Frank Dane directing the Radio Theatre stage production of 'The Back Seat'. . . Pat Dunlap added to cast of 'Woman in White,' Pat Murphy to 'Scattergood Baines'. . . . Jules Herbuveaux, NBC program chief here, to Texas to handle NBC talk by Maury Maverick, San Antonio mayor. . . . Bill Ray, press head for NBC in midwest, chirhed the Des Moines Ad Club last week. . . . Gilbert Kemp joins NBC engineering corps, replacing Fred Shidel who is a conscriptee. . . . Sid Strotz here over weekend. . . . he still spends lot of time here.

IN SAN FRANCISCO

KSFO's Paul Leake, engineer, has been ordered to Fort Lewis, Wash., for duty. . . he's a second looy in the signal corps. . . KFRC is sending Mel Venter to L. A., where he will board America's largest liner, the America, from which he'll originate several broadcasts as the ship makes her maiden Frisco voyage. . . Sydney Beatie, local socialite, becomes first Frisco deb to sing via a TC hookup through winning auditions with Leo Reisman, whose ork airs via NBC from the Palace hotel. . . 'Man in Street' shows are still clicking here to the extent that Ernie Smith has started a new one on KYA, five-a-week at noontime. . . Joe Dearing, Call-Bulletin fish and game editor, now has a quarter-hour slot on KGO. . . Roller Derby in Civic Auditorium getting daily ether shots via KPO.

BIG STATIONS ARE NERVOUS

PRESS CONTROL OF AIR THE ISSUE

Washington, Feb. 11.

More trouble looms for Brush-Moore Newspapers in their attempt to acquire full control of WPAY, Portsmouth, O. Federal Communications Commission has ordered a hearing on its license renewal application and is still undecided about permitting the corporate deal by which the publishing firm would buy out the interest of the joint owner.

Last spring, in a move generally construed as a test of newspaper ownership, the Commish by a split vote ordered testimony to be taken whether public interest would be served by the deal. Final action still has not been taken on this request for Commish consent.

The renewal papers were held up because of undisclosed allegations that Section 310B (requiring Commish consent for transfers) has been violated and the B-M people have been in actual control of the plant all along. Evidence to this effect is said to have been dug up by members of the legal staff digging into the record and analyzing exhibits submitted in support of the purchase plea.

Move to make the hearing double-barreled was opposed by Commissioners Norman S. Case and T. A. M. Craven on the ground there is no need for giving WPAY a black eye when the transfer already is pending and a denial of permission to go through with the transaction would open the way for punitive action in case there is anything wrong.

ASCAP Just A Warmup?

Realistic observers see in the current ASCAP-radio tangle just the beginning of several years of turmoil for broadcasting. Those who have discussed the consent decree proposition with the U. S. Department of Justice have come away from the department with the impression that it was anxious to get the music issue out of the way so that it could proceed with other matters affecting the broadcasting industry.

Following are some of the moves that these observers foresee the department possibly embarking upon during 1941:

1. Action against NBC and Columbia in connection with the monopoly inquiry conducted by the Federal Communications Commission. The department will seek to force these networks to revise their affiliated station contracts, using the same legal mechanics as applied in the case of the performing rights case.

2. Action against newspaper-owned stations on the grounds that they constitute a monopoly of the news in many of their areas. This is expected to bring on the most bitter and implacable fight of them all since the newspapers throughout the country will rally to the rescue on the ground that the issue primarily concerns freedom of the press. The administration is known to strongly favor this item of attack.

3. Action against multiple station ownership. This will prove the most ticklish of all targets that the department has singled out as it will not be so easy to make convincing anti-monopoly fodder. While the department might be able to make one sort of case against network-controlled outlets, it will, observers predict, have to engage in some mighty mental heaving to convince other legal minds that the central ownership of a few small stations in a particular region constitutes a threat to free and open competition.

4. Action against the networks (NBC, CBS) on the control of outside business, such as transcription and phonograph record manufacturing, artist bureaus, etc., based on data as developed by the FCC's monopoly hearings.

The aspect about this expected furore from the Department of Justice which seems most to intrigue the outlook of these observers is the effect it will have on the commercial end of broadcasting itself. Government by consent decree, they point out, is still something new for American business and it's hard to tell how it will work out, if it happens, for the broadcasting industry.

'Breakfast at Sardi's'

Chicago, Feb. 11.

Sherman K. Ellis agency here has purchased participation on the 'Breakfast at Sardi's' show on KFWB, Los Angeles. This show is operated by Ray Morgan of the Coast office of Goodkind, Joice & Morgan agency.

Deal was set through the local office of Goodkind, Joice & Morgan.

Junior League Radio On Discs for Schools

Salt Lake City, Feb. 11.

Up and Down the Scale, series of 15 min. dramatizations of great musician's lives, which was aired over KSL through tieup with Junior League now is being made into transcriptions. These records are to be made available for use in schools.

Louise Hill Howe directs.

Renew Bartlett Show

Chicago, Feb. 11.

'Celebrity Circle' shows on WBBM, the Columbia outlet here, has been renewed for another 13-week gallop by Dutch Mill Candy. Tommy Bartlett, WBBM staff gabber, interviews names of radio, stage and screen on the program.

Set through the Goodkind, Joice & Morgan agency.

SEE NEED FOR PUBLIC SUPPORT

At Ed Craig's Suggestion a Beginning Is Made at Explaining the Place and Usefulness of Class IA Broadcasters

WHDH SCARED 'EM

Washington, Feb. 11.

Growing hostility on the part of several Federal Communications Commission members toward clear channels, with repeated threats that exclusive occupancy of desirable ribbons by a single transmitter after dark will end shortly, has resulted in formation of a new trade group of Class IA plants independently owned. Lobby will tackle the educational job of explaining to listeners the value of the wattage giants as a backfire against some animosity in Congress and the FCC reform element.

New Clear Channel Broadcasting Service, opening offices here, is inspired by Ed Craig of WSM, Nashville. Front man will be Victor Sholis, former political reporter for Chicago Times and more recently brain-truster and ghost-writer for Harry Hopkins when he was Secretary of Commerce.

Without altering the present informal association under which most of the clear channel plants have pooled their resources and have been represented at various Commish

(Continued on page 24)

Thanks to the Scripps-Howard newspapers and the Radio Editors of America for having chosen

DINAH SHORE

as the outstanding singing discovery of 1940

EDDIE CANTOR

* * *

P. S.—May I submit thirteen-year-old Olive Major as a candidate for 1941?

Inside Stuff—Radio

With baseball out for the coming summer the CBS managed and operated stations propose to fill the sustaining gaps with dramatic serials. The salesmen for these outlets will be equipped with an argument that while evening shows fall off in rating during the summer the daytime serials either maintain a steady level or go up in popularity.

Studies of five leading daytime serials by the Co-operative Analysis of Broadcasting, as contained in the 1939-40 VARIETY DIRECTORY, show that the quintet's summer rating went up in 1936, but that the story was the other way during the summers of '37, '38 and '39. Fact, however, that the analysis was limited to five shows in the daytime schedule might not be considered a conclusive index.

It is reported in Congressional circles that Donald Flamm is slated to be called before a House investigating committee for a quiz on the circumstance surrounding his sale of WMCA, N. Y., to Edward Noble. He will be asked, it is said, to explain how he came to close the deal two days after the expiration of the time limit set by the Federal Communcations Commission for the consummation of the sale. Also to confirm or deny the rumor that a Washington lawyer had called on him and told him that a former high Government official was set to get his station and that he (Flamm) had six hours in which to decide whether he wanted to make a sale.

Unusual situation of one gasoline program following another prevailed on the eastern end of the NBC-blue last Saturday (8) as the result of the exceptionally long run of the Metropolitan Opera broadcast, which Texaco is underwriting. The opera, 'Tristan and Isolde,' ran until after six p.m. The Esso News fills the 6-6:05 spot regularly, and so there was no alternative but to put on Esso immediately after the Texaco program.

Conrad Rice, announcer for WEMP, Milwaukee, and Norman Carlisle, former continuity chief of WTCN of Minneapolis, who is now writing for the slicks, have collaborated on a book called 'Your Career in Radio'. It is a full-sized volume based upon practical experience rather than upon theory, is being published by the E. P. Dutton Co., off the presses this month.

Leo Burnet agency in Chicago is understood in the open market for an executive to handle all radio operations for the outfit. Has had several feelers out and even angling for a couple of top radio men with other agencies. Has been talking particularly with Harlow Roberts who recently left the Blackett-Sample-Hummert agency in Chi as radio chief.

The February and May issues of the Journal of Educational Sociology (New York University) are given over to discussions of radio under special guest editorship of Gilbert Seldes of CBS. Pieces by Neville Miller, John W. Studebaker, James R. Angell, C. A. Siepmann, Mortimer Adler, Lyman Bryson, George V. Denny.

Frank Morgan, on the Maxwell House program, is slipping in plugs for Angostura Bitters. Last week, for second time, he made a sly reference to that product, which is owned by the Wupperman family, Wupperman being Morgan's right name.

NBC-Chicago Daily Times campaign in the President's Birthday Ball drive netted $16,538.40. Radio-newspaper team operated a gimme booth on the corner of State and Randolph streets in the loop for 15 days and put on a running 24-hour-a-day show to entice shekels from the passers-by.

New power bid being made by WWSW, Pittsburgh, is for 5,000 watts on the 940 channel. The report of the move had given the sought-after power as 50,000 watts.

Nervous Stations

Continued from page 23

hearings by Louis G. Caldwell, the new office will concentrate on the public relations phase, not going into technical and legal ramifications of the controversy. Appeals particularly will be made for backing of the rural audience, who depend to overwhelming degree on secondary signals from remote 50 kw outlets. Sholis will launch campaign to point out what they would lose in the event either Congress legislates against exclusive occupancy or the Commish decides to sacrifice the IA rating as a means of countering asserted monopoly.

The Crux

'Since 81.7% of the United States is solely dependent upon clear channel broadcasts for radio reception at night, the importance of this type of station is obvious,' Craig remarked in announcing the crusade. 'Without these stations, all the residents of this tremendous portion of our country would be living in a radio blackout.'

Danger signals have excited the clear channelites for the last year or more, especially since the FCC began yelping that these 'vested interests' are anti-social and result in undue 'concentration' of economic, social, and political power. The alarms became serious the past few months with the Commission's move to let WHDH, Boston, squat permanently on the 830 kc strip reserved now for night use of KOA, Denver, and declining to allow either CBS or NBC, or the other 50 kw plants to participate in the hearing. Despite strong arguments, majority felt added service in the Bay State sector was more valuable than protection of the signal from the mountain area.

Internationalism

Final arrangement for enforcement of the North American Regional Broadcasting Agreement, which earmarked 25 ribbons for exclusive night use in this country, has increased uneasiness, rather than reassured the operators of IA plants. Until the pact goes into effect next month, the argument is that the United States should not break down its ribbons because of the likelihood that other signatories then would move in on the select frequencies. Once the reshuffling has taken place, it will be a horse of another color—and this is the horse the Craig crowd wants to keep corralled.

There has been spasmodic talk about duplication on all strips now assigned to transmitters on one of the coasts, keeping only a handful of clear channels for use by stations in the hinterland where admittedly economic considerations limit the number of outlets which can serve the rural listeners. Suggestions that this will be done have become more numerous in recent weeks, while uncertainty about the individual who will be named to fill the job vacated by Col. Thad H. Brown makes the clear channelites more jittery. If the new regulator is one of those ampant sympathizers with New Deal philosophies, the outlook will be extremely black, inasmuch as there already is unmistakable sentiment within the Commish in favor of taking away the 'privileges.'

In starting his drive, Craig harped on the international politics angle. He warned that the United States may lose its priority and would open the door for other nations to grab the ribbons if the IA classification is abandoned. Such action 'would mean that many American radio listeners would be denied the chance to hear broadcasts at night,' Craig commented, explaining the purpose of the group is to 'acquaint the millions of American radio listeners with the stake they have in preservation of clear channel broadcasting.'

Trade gossip about disintegration of the old clear-channel group, which generally has played along with NBC and CBS at past engineering hearings, seems unfounded. The Craig move, it was emphasized, is not to be construed as any move to supplant the old informal alliance, or any slap at Caldwell, who has been special Mutual counsel at the chain-monopoly hearings. On Commission matters, and whenever any technical problem arises in connection with any FCC proceedings, the common interests will be presented in a single bundle, with Caldwell directing the legal work.

Kent-Johnson is making 50 one-minute announcement transcriptions for Esso, with Andy Love's new vocal group, Three Cats and a Canary providing the music and Uncle Jim Harkins doing the m.c. Deal was made through the Marschalk & Pratt agency.

HERE AND THERE

WCBI, Columbus, Miss., has news room studio newly built in the Commercial Dispatch building. Houston Cox is news and sports editor.

Sheldon Stark has renewed his contract as staff writer at WXYZ, Detroit. He does scripting on 'Green Hornet,' 'Lone Ranger' and 'Ned Jordan' programs.

Scott Helt, chief engineer of WIS, Columbia, S. C., has been named chairman of the engineering committee of the fourth district of the National Association of Broadcasters.

Arthur J. Casey, producer of 'The Land We Live In' series for KMOX, St. Louis, is seriously ill in St. Anthony's Hospital. Rollie Williams is pinch hitting.

Georgia Davidson, in charge of women's affairs at WKBN, Youngstown, has returned to the staff after several weeks in the hospital, where she underwent an operation.

KSTP, Minneapolis, staff members down with the flu are Ray C. Jenkins, Else Ryberg, Roselle Schomer, and Charles E. Smith.

Joseph J. Harty, formerly an executive with WOR and WMCA, N. Y., is now executive secretary of the Medical Service Administration of New Jersey.

Ed Reimers, WBEN, Buffalo, spieler, picked to narrate City of Buffalo promotional film.

Arthur Simon, general manager of WPEN, Philly, and his wife, Sybil Warner, special events announcer at the outlet, returned from a two weeks trip to Cuba.

Harold E. Fellows, manager of WEEI, Boston, elected chairman of the Massachusetts State Broadcasters Committee, to succeed John Holman.

Jerry Sill, CBS station relations, back to New York after tour of Dixie CBS layouts, including WSPA, Spartanburg; WBT, CBS-owned at Charlotte; WWNC, Asheville, N. C., and others.

James Stevenson, WJR Detroit newscaster, was sworn in as a major assigned to the U. S. Judge Advocate General's department.

John E. Regan, police secretary, began 14th year as police newscaster Monday (10) over WEBR, Buffalo. Believed nation's oldest such bulletin period.

Robert Daru Files With FCC Charges That BMI Uses 'Vicious Practices'

Petition for an investigation of all U. S. radio stations not using ASCAP music was filed with the Federal Communications Commission last Thursday (6), by Robert Daru, counsel for 13 ASCAP and non-ASCAP songsmiths. They claim that the stations have breached their obligation of public service by not presenting music which the public wants and thus are in line for revocation of their licenses.

Petition is only the opening shot in a barrage against the broadcasters which Daru promises. He indicated Monday (10) that within the next few weeks he will file papers with an additional federal commission and lawsuits in two different courts to force officers of the National Association of Broadcasters and BMI to testify. Daru maintains that by signing the recent consent decree, BMI already has convicted itself of coercing band leaders, forcing BMI stock on small stations and using 'vicious practices against the public interest.'

The 13 songwriters who signed the petition were Ernie Burnett, Nelson Cogane, Paul Cunningham, Al Lewis, Frank Madden, Allan Flynn, Ira Schuster, Vincent Rose, Larry Stock, Jean Schwartz, Stanley Adams and Guy Woods. Madden is the only non-ASCAPer.

Daru was counsel for the Senate Committee on Crimes and Rackets about half a dozen years ago and was draftsman of the federal criminal laws which include the so-called Lindbergh Kidnapping act.

BMI's Hawaiian Cache

Broadcast Music, Inc., has obtained the rights to over 100 Hawaiian numbers through a deal with Golden Gate Publications, a subsidiary of Peer International Corp.

Catalog includes 'It Happened on the Beach of Waikiki,' 'My Hula Hula Girl' and 'Sweet Hawaiian Maid.'

WBEN Transmitter Move

Buffalo, Feb. 11.

FCC okay was granted WBEN last week to move its auxiliary transmitter from Martinsville, N. Y., to site of new main transmitter on Grand Island.

New plant, to cost $80,000, goes into operation about April 1.

THEIR FAME IS YOUR FORTUNE

Hollywood intrigues America! Stella Unger, who knows the stars intimately, tells all about them in "Hollywood Headliners," fascinating NBC Recorded Program

Hollywood stars are *news* . . . of absorbing interest. In "Hollywood Headliners," Stella Unger "Your Hollywood Newsgirl" turns this interest to your profit. She not only reveals the details of their lives . . . but has proved the sales formula behind this show in previous programs for big advertisers.

Her program, "Hollywood Headliners," offers you a remarkable value . . . a full year's schedule of 3 programs a week . . . 156 programs a year . . . at unbelievably low cost. It's a 5-minute program with special movie-set atmosphere and musical theme; with recorded music added, it becomes a 15-minute show.

"Hollywood Headliners" is now being sponsored in various cities. Many leading markets are still available for local and spot advertisers.

Your local radio station can arrange an audition . . . or write

NBC Radio-Recording Division
NATIONAL BROADCASTING COMPANY
A Radio Corporation of America Service
RCA Building, Radio City, New York
Merchandise Mart, Chicago Trans-Lux Bldg., Washington, D. C. Sunset & Vine, Hollywood

"Oh, I *sell* through the air with the greatest of ease . . . just hitch this Winged Plug to your contract, I'll switch a lot of buying ears your way. Take the word of my 138 current sponsors — — I make Cincinnati's sales curves sail!"

WSAI CINCINNATI'S OWN STATION
REPRESENTED BY INTERNATIONAL RADIO SALES

MBS BUILDS OWN SERIALS

BLOW TENTATIVE SOAP BUBBLES

Daytime Competition in Serial Field to Be Organized Into an Hour Across the Board Originating at WOR, WOL, WGR, WKRC

FRUIT OF MEETING

Mutual, which has always regarded the daytime commercial business on NBC red (WEAF) and CBS longingly, will launch a lineup of its own serials Feb. 24. Four 15-minute stanzas will be spotted in a solid hour block as a starter. They'll originate at different affiliate stations. If they click and draw sponsorship, as is hoped, more will be added. All will air Mondays through Saturdays.

Plan stems from the recent New York meeting of the program heads of the various leading affiliates, which went on record as favoring more dramatic shows and more locally-produced stanzas, particularly daytimers. At the beginning the program will be spotted in the 1-2 p.m. period, so they won't interfere with the Brooklyn Dodger baseball broadcasts which are expected to return to the WOR slate when the season opens.

Shows, in scheduled order, will be 'We Are Always Young,' produced at WOR; 'Edith Adams' Future,' from WKRC, Cincinnati; 'Helen Holden—Government Girl,' from WOL, Washington, and an untitled one from WGR, Buffalo. Any stations unable to air the program at the regular time will do so late via transcription.

ARMOUR SHOW ON CBS FEB. 24

Chicago, Feb. 11.

Armour & Co. is going on the Columbia chain on a three-a-week schedule for Treet starting Feb. 24. This will replace and cancel the present spot disc series for the same meat product.

Will run on Monday-Wednesday-Friday at 11 a.m. for 15 minutes and will continue the same talent set-up as is now on the platters. This takes in Buddy Clark as special vocalist, the Frank Kettering orchestra and Johnny Duffy at the organ.

Armour also has set a 30-minute Saturday night program for Luxor. This will have Wayne King orchestra and Buddy Clark as vocalist and will continue in the 7:30-8 p.m. slot.

All billings handled through the Lord & Thomas agency here.

Armour's Cheese Songs

San Antonio, Feb. 11.

New series on Texas State Network is a quartet under sponsorship of Armour in behalf of Cloverbloom Butter and Cheese.

Program offers a five-pound assortment of Cloverbloom cheese in a spun aluminum salad bowl to the listener sending in a letter containing the name of a song which is associated with an important event in the life of the listener.

Broadcasts are announced by Marshall Pope and were placed on the web by Lord & Thomas.

Weed Reps KVOD

KVOD, NBC Blue outlet in Denver, has named Weed & Co. as station rep.

Petry previously handled the station.

Betty Eckersall, daughter of the late Walter Eckersall, has sports program designed particularly for women, over WXYZ, Detroit. It marks the first invasion here of sports-commentating by a woman.

WSGN New All Ways

Birmingham, Feb. 11.

An increase in the power of WSGN from 250 watts to one kilowatt (1,000 watts), has been authorized by the Federal Communications Commission. Okay arrived on eve of WSGN's removal to new 11-room studios at the Dixie-Carlton hotel. WSGN carries both the NBC-Blue and the Mutual networks.

The FCC also authorized the station, owned and operated by The Birmingham News-Age Herald, to change its frequency from 1310 to 610 kilocycles and to move its transmitter site to the state fair grounds here.

WEATHER BALMY, TOO

WMCA, N. Y., Mulls Edited Versions of Columbus Circle Soapboxers

Columbus Circle, New York, soap box shouters may be transmitting their 'messages' into living rooms this spring if plans of WMCA, N. Y., materialize. Station is figuring on picking up speeches, but hasn't yet decided how it will be done. One way in mind is to record talks via mobile unit, then edit out unsuitable portions. Another is to find an announcer clever enough to spar with the spielers and shoot it out live.

How it will be done or whether it will be done at all awaits balmy weather.

Radio Daffodils

Toledo, O.—George Pickard, of WSPD, recently received a letter with $2 enclosed from a woman listener who said she had decided he had an honest voice. She couldn't come to Toledo, so she asked Pickard to apply the $2 to her account in a local store.

Minneapolis.—As a gesture of goodwill toward the entire state, Manager Earl Gammons of WCCO has invited 400 Minnesota mayors and their wives to the annual WCCO cocktail party at the Hotel Lowry.

Des Moines—There's conjecturing around KSO-KRNT, Des Moines, about what the couple meant by their song request celebrating their 41st wedding anniversary. They asked for the tune, 'It Makes No Difference Now.'

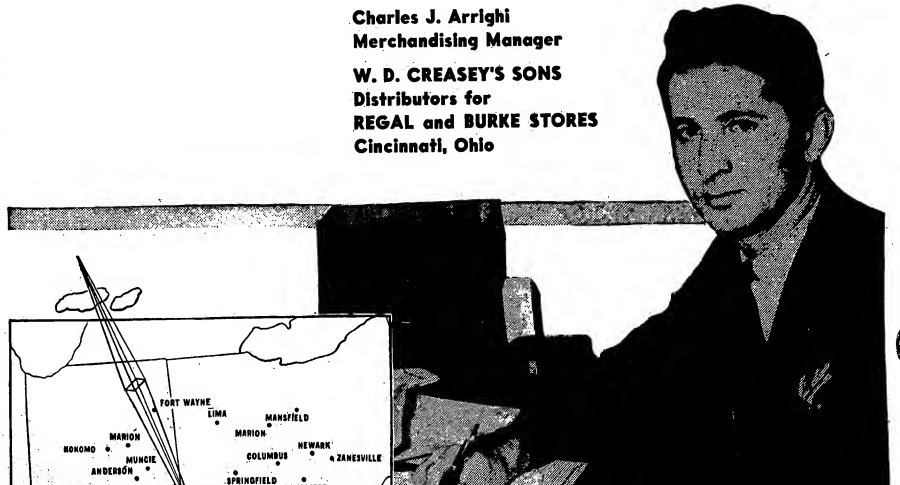
WLW ADVERTISED ITEMS GO ON GROCERS' "MUST STOCK" LIST

The effectiveness of WLW is proven by the consistent movement into the hands of the consuming trade of the products advertised over this Station.

Because of constant turnover, our customers, as well as ourselves, enjoy a splendid volume on these items and place them on our "Must Stock" list.

Charles J. Arrighi
Merchandising Manager

W. D. CREASEY'S SONS
Distributors for
REGAL and BURKE STORES
Cincinnati, Ohio



REPRESENTATIVES: New York — Transamerican Broadcasting & Television Corp. Chicago — WLW, 230 N. Michigan Avenue. San Francisco — International Radio Sales.

WLW THE NATION'S most Merchandise-able STATION

THOSE NOT READY FOR MARCH 29 MOVING DAY MUST GO SILENT, FCC RULES

Gentlemen's Agreement With Mexico Protects WLW, WGN, KMOX, WOAI—Looks Like Final Curtain for Doc Brinkley

Washington, Feb. 11.

Change-over of all northern hemisphere broadcasting stations involved in the Havana Treaty is set for March 29 as scheduled. Regardless of fears about inadequate supply of new crystals, the Federal Communications Commission last week ratified the reshuffle by technical men from signatory nations and laid down a devil-take-the-hindmost policy.

Slow-pokes will get no sympathy from the U. S. regulators, who are satisfied with the second successive gentleman's agreement by which this country and Mexico assure extra-treaty protection for transmitters on four ribbons. The Commish, notifying all licensees of their future resting places, warned that any plant unable to make the shift at the time set must quit operation until the obstacles are removed.

Final ironing out process resulted in out-of-order moves for eight more American plants. Otherwise, except for a plant here and there which will be temporarily assigned to an irregular channel pending revision of the domestic allocation (among these are KFAB, Lincoln, and WAPI, Birmingham), all of the changes outlined last September stand.

End of Brinkley?

Silencing of the border stations, called for in a sideline agreement supplementing the pact negotiated in 1937, is slated. The Mexicans went through with promises to limit use of their facilities to genuine citizens, ousting American ex-patriates such as Doctors John R. Brinkley (who recently took the bankruptcy route) and Norman Baker. Spraying of the American audience by their XERA and XENT will end officially—and, Washington authorities trust, finally—when the reallocation takes place.

The U. S.-Mexico parley wound up amicably, although the outlook at the start was not encouraging because a second 'gentleman's agreement' had been negotiated through the State Department, unknown to the FCC. In the end, the huddlers came to terms, under which the U. S. will put no station within 650 miles of the border on four of Mexico's clear channels (730 kc, 800, 900, and 1570) and they do the same for us (700, 720, 1120, and 1200). Which means WLW, Cincinnati; WGN, Chicago; KMOX, St. Louis, and WOAI, San Antonio, no longer have anything to fear. The protection under this plan is for two years, but general expectation is that it will be more or less permanent, with everybody bound to be happy once the plunge is taken.

Shiftings

The out-of-sequence shifts, necessitated by technical difficulties, will move WOAI from 1190 to 1200; WCAU, Philadelphia, from 1170 to 1210; WEST, Easton, Pa., from 1200 to 1400; WHOM, Jersey City, from 1450 to 1480; WBAB, Atlantic City, from 1200 to 1400; WQXR, New York City, from 1550 to 1560; WCNW, Brooklyn, from 1500 to 1600; and WWRL, Long Island, from 1500 to 1600.

Notification to licensees emphasized that no final action on pending renewal applications will be taken before March 1 and any squawker must file his objections—with a request for another berth—by Feb. 18. The Commish pointed out that adequate notice was given last September, implying that slight sympathy can be expected by any operator who demurs at this late date. Any licensee who does not send in objections by the deadline will be considered as consenting.

To help the operators make the change, the Commish voiced a hope that equipment people will do their utmost to supply the needed crystals. In urging every affected station owner to place his order immediately, the regulators suggested the manufacturers give priority to stations with directional antennas and, until the rush period is over, hold each customer to two crystals.

All stations receive blanket authorization to try out their equipment on the new frequencies before March 29, although excessive playing around may draw reprimands. The Commish said that most plants ought to complete the adjustments in a few hours, although two or more test periods may be necessary in case of high power plants and stations with fancy radiating systems.

Any transmitter which for any reason cannot go to its new assignment at 3 a.m. EST March 29 must notify the Commission and go off the air until the changes in equipment are made. In case of stations with directional antennas, power must be reduced if it is not possible to provide the required protection for other outlets.

The Commish warned that the orders should not be treated as one-year renewal of all licenses. In cases where complaints have been filed or investigations are in progress, the Commission will adhere to its established procedure. The same with outstanding construction permits, which must be modified in accordance with the new distribution scheme.

21 Move In Wisconsin

Milwaukee, Feb. 11.

Only two Wisconsin stations—WTMJ in Milwaukee and WMAM in Marinette—will retain their present wave lengths after March 29 when reallocations made by the Federal Communications commission go into effect.

Frequencies of all 21 other stations in the Badger state will be upped from 10 to 30 kilocycles.

B. B. SPONSORS RENEW IN DET.

Detroit, Feb. 11.

All the sponsors of the Detroit Tiger baseball games have renewed on the dotted line, H. Allen Campbell, general manager of WXYZ, has announced. The renewals for the coming season cover both WXYZ and stations of the Michigan Radio Network.

For the third consecutive year, Socony Vacuum Oil and General Mills will share and alternate on the broadcast of the Tiger games both at home and on the road, over the network. Socony has sponsored the game since 1935. Harry Heilmann, former Tiger star, again will do the play-by-play as he has for the last five years.

In addition to this, Heilmann will give the baseball season an early send-off in a sponsored series for Altes Brewing Co. of Detroit. He goes to the Tiger training camp at Lakeland, Fla., to make transcriptions on the field of player interviews, chatter on rookies and other news which will be flown to Detroit for airings on Monday, Wednesday and Fridays. Series for the brewing company is se. to start over the state network March 3 and run through April 14.

This being one of the hottest baseball cities in the country, there's plenty of additional baseball sponsorship. The brewing company also will sponsor again 'The Fan in the Street,' an interview program of sports palaver which starts with the first game and goes over the network all week days, but only over WXYZ on three days. Beside that one, the Automobile Club of Michigan has renewed its sponsorship of baseball scores and the resume of the game.

WSYR's Draft Policy

Syracuse, Feb. 11.

Local station WSYR, which is operated by several World War veterans, is giving any of its employees who are drafted for military training a salary equal to their army pay. It also is guaranteeing their same jobs for them when they return from the service. It's the first time a private industry thus matches Uncle Sam with a supplementary $30 monthly check.

Those called so far include Arnold Schoen, Elliott Gove and Ed Jones, with several others apparently due to go in a short time.

Nickey Burnett's News Beat

Cleveland, Feb. 11.

Nickey Burnett becomes first local radio leg-man, carrying a reporter's card, in covering the town's news beat for WHK six days weekly at 1:45 p.m.

Burnett making daily rounds of city hall, central police station, hospitals, etc., with newspaper reporters for his 'one-man newspaper.'

Complaining as a Specialty

Washington, Feb. 11.

Chronic complainers, who seem to have nothing better to do than register squawks about radio programs with the Federal Communications Commission, reached a new high recently.

Topping the letters, wires and telegrams which pour in to the Government agency every time a knob-twiddler becomes peeved at his local station, a request was received for a 'form on which the objector could more conveniently list his grouses against the industry.'

Hari Kari

Continued from page 21

get directly at the many millions taken in by the networks.

Section three of the original decree has been considerably rewritten but the terminology has yet to be polished. This section deals with the different methods of payment to apply between sustaining and commercial programs and involving their alternative bases.

OK—With Alacrity

Section four is the one that got ASCAP's quickest assent. It states that 'in so far as network broadcasts are concerned, ASCAP need not issue separate licenses to separate stations, but shall issue a license to the entire network fixing a single licensing fee.'

ASCAP also nodded, after some paraphrasing, in the case of Section five, which makes it mandatory for ASCAP to include a performing license as well as a manufacturing license in the case of a transcription. The new version of this section limits such double licensing to commercial discs.

Under Section six ASCAP is barred from refusing 'to offer a license at prices to be fixed by it for the use of individual compositions or catalogues which shall be requested by the prospective licensee.' ASCAP has also approved Section seven which eliminated its past practice of restricting certain works in its repertoire.

Poletti's Huddles In Washington, D. C.

Immediately after the close of Monday's meeting of the ASCAP board Charles Poletti, ASCAP's special counsel in the negotiations with the department, left for Washington to confer on the latest concessions and to see what could be done about the revamping of the main paragraph in dispute. ASCAP's general counsel, Louis Frohlich and Herman Finkelstein, were ready yesterday (Tuesday) to join Poletti in Washington as soon as he had phoned them to come on.

ASCAP board spent Friday and Saturday of last week in conferences with the Federal counsel assigned to the case and it was the writers and publishers who did practically all the talking, with their counsel confining themselves mostly to just standing by. ASCAP directors, generally admit that in any event their organization is due for a drastic reorganization both financially and as to official setup. The impression is also fast gaining ground in that section of the publishing industry affiliated with ASCAP in that the decree as now constituted accords huge advantages to the larger publishers and that under its terms it's going to be tougher sledding than ever for the smaller publishing houses. To the firm with the big backlog the edge will be wider than ever, while the crumbs falling to the pubs with but new pop tunes will be smaller than in the past.

Midst the consent-or-not-to-consent palaver that's currently going on so intensively, the ASCAP strategists are now wondering if it might not be wiser to effect a deal with the broadcasters before any 'understanding' is reached with the Dept. of Justice. Otherwise, as the 'consent' is now written, ASCAP would stand little chance to make any advantageous contractual deals with the major networks.

It's no secret among the radio interests that the proposed ASCAP decree, if not radically modified, would leave the Society in a very disadvantageous trading position.

KSCJ, SIOUX CITY, YIELDS 4 TO ARMY

Sioux City, Ia., Feb. 11.

Two more members of the staff of KSCJ, local NBC outlet, went into military service this week, making four who have left the station for a year's training. Latest pair were the chief engineer, Capt. S. C. Dier, of the Headquarters Battery, 2d Battalion, 185th Field Artillery, and Corporal John Agostine, an operator, who goes into the same unit. Alvin Smith will serve as chief engineer during Dier's absence.

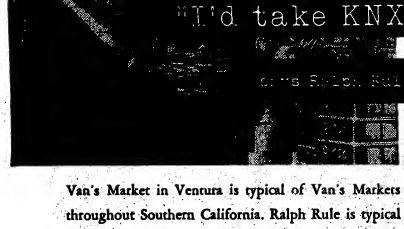
Other KSCJ employees previously called were Chief Petty Officer Clifford E. Lien, now at the Great Lakes training station, and Jack Gray, now at the 7th Corps Area headquarters, Ft. Omaha. Capt. Dier's unit will be stationed at a local armory for a few days before leaving for Camp Claiborne, La.

Benedict at Free & Peters

Chicago, Feb. 11.

Ed Benedict has been added to the Chicago office of Free & Peters rep firm.

For past two years Benedict has been manager of Media department of the local McCann-Erickson agency, and was previously with Erwin, Wasey and Benton & Bowles agency.



Van's Market in Ventura is typical of Van's Markets throughout Southern California. Ralph Rule is typical of the men on the sales front in all Van's Markets.

We asked him a question:

"If *you* were picking a radio station to advertise a grocery product in Southern California, which station would *you* choose?"

Mr. Rule's answer is typical, too. He names KNX.

Men on the sales front *all over* Southern California know the pulling power of KNX—recognize it because every day they're face to face with consumers who re-act *right now* when KNX advertisers invite them to buy.

KNX LOS ANGELES

50,000 WATTS

COLUMBIA'S STATION FOR ALL SOUTHERN CALIFORNIA

Owned and Operated by the Columbia Broadcasting System • Represented by RADIO SALES

KMBC of Kansas City

is pleased to announce the appointment of

A. & S. LYONS, Inc.

as

KMBC Talent Representatives In the New York and Hollywood Areas

FEB. 1, 1941, ARTHUR B. CHURCH, PRESIDENT

Payroll Traffic

Salt Lake City.—A. E. Reardon takes over as manager of the Salt Lake Office, Intermountain Network. He replaces L. A. Gifford who has shifted to KVFD, Fort Dodge, Ia.

Provo, Utah.—KOVO adds Jimmy Lawrence to production staff. George Killian, same station, moved from production to sales department.

San Antonio.—Newcomer to the continuity department of WOAI is Peggy Alston. Engineering staff added Pet Gosch from Houston. First draftee on radio row is John Furgeson, of sales staff of WOAI. Reports to Dodd Field Feb. 14.

St. Louis.—Three local advertising agencies have added new execs to staffs. Ken Bennett formerly of the Will C. Grant agency, Chicago, joined Ruthrauff & Ryan as radio producer on 'In St. Louis This Week' for Hyde Park Breweries. Edward D. Parso has joined Clifford F. Broeder agency. Formerly with KMOX and KSD. Wilton C. Haff, with Anfenger agency as radio director.

Dallas.—Jerry Dickey formerly with KABC, San Antonio and with KFDM Beaumont, has joined the announcing staff of WFAA-KGKO.

Nashville.—Irving Waugh joined the staff of station WLAC as Esso Reporter, Feb. 1. He's from WBDJ, Roanoke, Va., where he also voiced Esso newscasts.

Montreal.—Ormond Marlon, head of the Transradio News bureau located at Canadian Marconi station CFCF has joined Royal Canadian Navy. Successor is Othello C. Duckett, who moves over from Seattle, Wash.

Ed Chowns, radio exec in Toronto office of All-Canada Radio Facilities, has joined the Canadian Active Service Force.

Saskatoon, Sask.—Lyn Hoskins, transmitter operator of CFQC, Saskatoon, has left for Toronto where he has been called by the Royal Canadian Air Force.

Windsor—Raymond Laforet, for several years inter-office secretary at CKLW, Windsor, has left the station for active service with the Canadian Army. He is now a member of the Royal Canadian Corps of Signallers.

Arnold Stinson, staff announcer at CKLW, Windsor-Detroit is on a month's leave from the station to do army training at nearby Chatham, Ont.

Cincinnati—Warren Champlin, announcer, formerly with KXOK, St. Louis, has been added to the WKRC staff.

St. Louis—Richard E. Sharp, radio director for the Anfenger Advertising Agency, St. Louis, has resigned to join KMOX in a copy service capacity. He is returning to his former stint.

Lynchburg—Russell Dollar, formerly of WAIR, Winstom-Salem, to WDBJ, Roanoke, Va., as announcer, succeeding Irving Waugh.

Waugh, with WDBJ a year, is joining WLAC, Nashville.

Seattle—KIRO added three to staff preparatory to a step-up in power later this year. Norman Runions, who has been program director and chief announcer on KVI, Tacoma, is now behind the mike as an announcer; Al Amundsen, who formerly did continuity for WMBH, Joplin, Mo., and was copy chief at KUJ, Walla Walla, has been added to the production and continuity staff and Bill Moshier steps up to publicity director.

Dallas.—Orville Mills joins the engineering staff of station WFAA. From KOMA, Oklahoma City.

Weslaco, Texas.—Bill Egerton has been appointed chief engineer of KRGV taking over the duties of Neal McNaughton who has gone to Porto Rico where he will be employed at the FCC Monitor station. Egerton is also chief engineer of station KTSA in San Antonio, both stations being members of the Ted Taylor group. Louis Hartwig of KRGV will be engineer in charge of operations.

Roland Schweer formerly of the announcing staff of station KPRC, Houston, has joined KRGV.

Cleveland.—Jack Thomas, former WFAA Dallas mikeman, joins staff of WHK as announcer.

New Haven.—Francis Maloney, New Haven news editor of WICC, succeeding late John H. Reilly, Jr.

Hartford.—Jerry Piven, out of WGBI, Scranton, Pa., joined WDRC as announcer.

Saskatoon, Sask.—Lyn Hoskins, CFQC, Saskatoon, Sask., transmitter operator, has joined the Royal Canadian Air Force at Toronto.

Portland, Ore.—Ralph Rogers has been made chief announcer for KGW-KEX.

Regina, Sask.—New addition to the CJRM, Regina, staff is Ann Drayer.

Wichita, Kas.—Bill Young will be new sports editor and announcer at KANS replacing Clarence Garnes who goes to WOWO, Ft. Wayne, Ind. Bill Massey, formerly with British Broadcasting Corp. is at KANS.

Buffalo.—William M. Folger has left to join spieling staff at KFBC, Cheyenne, Wyo.

Washington.—Two newcomers to the announcing staff of WRC-WMAL took up their duties at NBC's Washington studios.

Irwin Elliott, formerly of WMEX, Boston, and Steven Douglas, program director of WKPT, Kingsport, Tenn., are the new arrivals.

Spokane.—Harold Bratsberg, NBC, and Seth Riehards, Jr., ex-Spokane Chamber of Commerce, have taken over writing-production, and special features, respectively, at Station KPFY, Spokane.

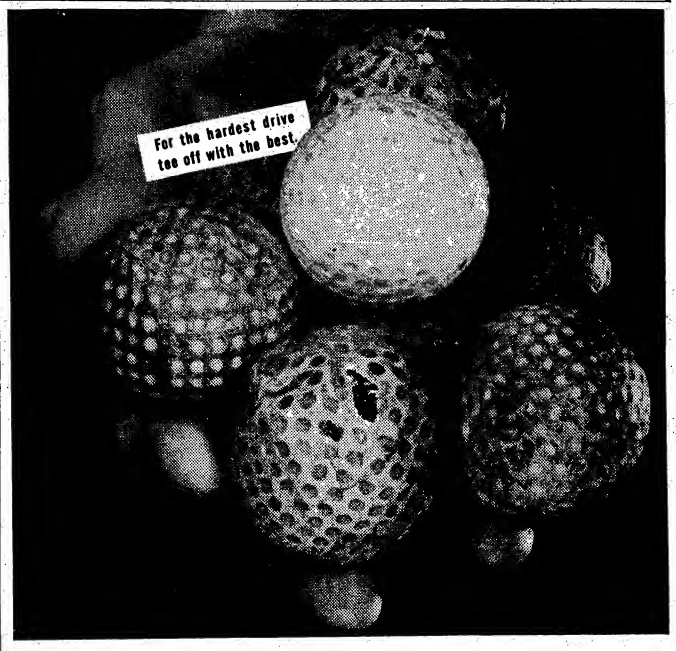
International Rotary Program

WRUL, Boston, as Outlet—Pickup in Chi, Mex. City, Havana—Carpenter of WHK Thought It Up

'America Speaks,' half-hour sustaining series Sunday afternoons, starts airing Feb. 23 over Mutual and on international short-wave via WRUL, Boston, in a tieup with the International Rotary Clubs.

Initial program will be produced from Chicago and will relate the history of the Rotary movement. Second stanza will be split between Chicago and Mexico City. Third will be from Havana and several subsequent ones will be short-waved from South America and rebroadcast in the U. S. Mutual hopes the series will draw a huge audience via the 5,000-odd Rotary Clubs, with a claimed membership of 210,000 in 76 countries.

Series is the brainchild of H. R. Carpenter, president of WHK, Cleveland, and a Rotary bigwig.



TOLEDO
A Fort Industry Market

Abraham LINCOLN

said to the citizen who wanted him to endorse

A MOUSETRAP

"For the sort of people who want this sort of thing, this is the sort of thing that sort of people will want."

Paraphrasing Mr. Lincoln, we might say

For the sort of people who want the sort of shows that attract listeners of all sorts, WSPD is the sort of medium they'll want to use in this sort of thriving market.

WSPD

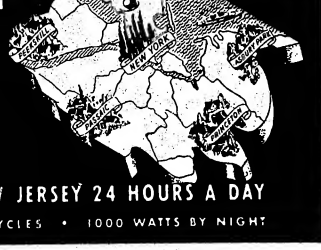
TOLEDO, OHIO

WNEW DELIVERS!

It's today's hottest radio buy!

1. ONE-THIRD THE COST of any New York network station. 2. THE NATION'S BIGGEST MARKET. (The 50-mile metropolitan trading area.) 3. TWICE THE AUDIENCE of any other New York independent station. (Hooper-Holmes and other impartial surveys.) 4. RADIO'S OUTSTANDING PROGRAMS. ("Make Believe Ballroom" with Martin Block, "Milkman's Matinee" with Stan Shaw. And many others.) 5. LOCAL ADVERTISERS *know* WNEW moves most goods—fastest. 6. MORE COMMERCIAL TIME is bought on WNEW than any station in New York.

WNEW
NEW YORK



SERVING NEW YORK AND NEW JERSEY 24 HOURS A DAY

5000 WATTS BY DAY • 1250 KILOCYCLES • 1000 WATTS BY NIGHT

ASCAP Licenses Taken by 171 But Some States Not on Society List

ASCAP reported last week that 11 more commercial stations have signatured five-year licenses with it, making the total of stations holding such licenses 171. There are also 40 non-commercial stations with ASCAP licenses. The newly licensed outlets are KFNF, Shenandoah, Ia.; WJBW, New Orleans; WFPG, Atlantic City; KTRI, Sioux City; WITH, Baltimore; WMSD, Muscle Shoals, La.; WTAL, Tallahassee, WGTC, Greenville, N. C.; KFJI, Klamath Falls, Ore.; WMBS, Uniontown, Pa., and KVIC, Victoria, Tex.

ASCAP also stated that 112 stations are now carrying the 'ASCAP on Parade' series.

The following is the latest available list of ASCAP licensees. Those marked with an asterisk are educational stations (paying no fee), automatically okayed since they do not operate for profit:

Alabama
WMSD, Muscle Shoals.
WMOB, Mobile.
WJRD, Tuscaloosa.
WHMA, Anniston.

Arizona
KPHO, Phoenix.
KWJB, Globe.

Arkansas
KGHI, Little Rock.
KWFC, Hot Springs.

California
KFVD, Los Angeles.
KFWB, Hollywood.
KIEV, Glendale.
KLS, Oakland.
KRKD, Los Angeles.
KTRB, Modesto.
KXO, El Centro.
*KUDM, Stockton.
*KFSG, Los Angeles.
KPPC, Pasadena.

Colorado
KGIW, Alamosa.
KIDW, Lamar.
KOKO, La Junta.
*KFOF, Denver.
WINX, Washington, D. C.

Florida
WTAL, Tallahassee.
WDBO, Orlando.
WJAX, Jacksonville.
WTSF, St. Petersburg.

Georgia
WBLJ, Dalton.
WGAU, Athens.
WMOG, Brunswick.
WRGA, Rome.
WMGA, Moultrie.
WGOV, Valdosta.
WMJM, Cordell.

Illinois
WCAZ, Carthage.
WCBD, Chicago.
WCFL, Chicago.
WCRW, Chicago.
WEBQ, Harrisburg.
WEDC, Chicago.
WGES, Chicago.
WSBC, Chicago.
*WILL, Urbana.
*WMBI, Chicago.

Indiana
WAOV, Vincennes.
WJOB, Hammond.
WTRC, Elkhart.
WIND, Gary.
*WBAA, West Lafayette.

Iowa
KTRI, Sioux City.
KFNF, Shenandoah.
*KFGQ, Boone.
*WOI, Ames.
*WSUI, Iowa.

Kansas
*KFKU, Lawrence.
*KSAC, Manhattan.

Kentucky
WHOP, Hopkinsville.
WPAD, Paducah.
WOMI, Owensboro.

Louisiana
New Orleans.

Maryland
WITH, Baltimore.
WBOC, Salisbury.
WFMD, Frederick.

Massachusetts
WCOP, Boston.
WESX, Salem.
WHDH, Boston.
WMEX, Boston.
WORL, Boston.

Michigan
WCAR, Pontiac.
WEXL, Royal Oak.
WJBK, Detroit.
WMDC, Detroit.
WSAM, Saginaw.
WIBM, Jackson.
*WKAR, East Lansing.
*WMPC, Lapeer.

Minnesota
KGDE, Fergus Falls.
WMIN, St. Paul.
*WCAL, Northfield.
*WLB, St. Paul.

Mississippi
WCOC, Meridian.
WJPR, Greenville.
WQBC, Vicksburg.

Missouri
KPVS, Cape Girardeau.
KITE, Kansas City.
KWOC, Poplar Bluff.
WMBH, Joplin.
KWTO, Springfield.
*KFUO, Kansas City.

Nebraska
KGFW, Kearney.
KHAS, Hastings.
KORN, Fremont.

New Hampshire
WHEB, Portsmouth.

New Jersey
WFPG, Atlantic City.
WFPG, Atlantic City.
WAAT, Jersey City.
WBRB, Red Bank.
WCAM, Camden.
WCAP, Asbury.
WHBI, Newark.
WHOM, Jersey City.
WAWZ, Zarepath.

New Mexico
KLAH, Carlsbad.

New York
WATN, Watertown.
WBNY, Buffalo.
WBNX, Bronx.
*WCNW, Brooklyn.
WGNY, Newburgh.
WHAZ, Troy.
WHLD, Niagara Falls.
WNEW, New York.
WOLF, Syracuse.
WOV, New York.
WWRL, Woodside, L. I.
WKNY, Kingston.
WHN, New York.
WVBR, Brooklyn.
*WCAD, Canton.
*WNYC, New York.
WSYS, Buffalo.

North Carolina
WGTC, Greenville.
WAIR, Winston-Salem.
WCNC, Elizabeth City.
WGBR, Goldsboro.
WMFR, High Point.
WEED, Rocky Mount.

Ohio
WOSU, Columbus.

Oklahoma
KOCY, Oklahoma City.
KASA, Elk City.
*WNAD, Norman.

Oregon
KBND, Bend.
KLBM, La Grand.
KWJJ, Portland.
KXL, Portland.
*KBPS, Portland.
*KOAC, Corvallis.
KFJI, Klamath Falls.

Pennsylvania
WCBA-WSAN, Allentown.
WDAS, Philadelphia.
WIBG, Glenside.
WPIC, Sharon.
WTEL, Philadelphia.
WWSW, Pittsburgh.
WQAN, Scranton.
*WSAJ, Grove City.
WMBS, Uniontown.

Porto Rico
WKAQ, San Juan.
WNEL, San Juan.
WPAB, Ponce.
WPRA, Mayaguez.

South Carolina
Sumter.

South Dakota
KWAT, Watertown.
*KFDY, Brookings.
*KUSD, Vermillion.
*WCAT, Rapid City.

Tennessee
WHUB, Cookeville.
WDEF, Chattanooga.

Texas
KABC, San Antonio.
KBST, Big Spring.
KCMC, Texarkana.
KFJZ, Fort Worth.
KGKL, San Angelo.
KIUN, Pecos.
KLUF, Galveston.
KMAC, San Antonio.
KNEL, Brady.
KNOW, Austin.
KPLT, Paris.
KRBC, Abilene.
KRLH, Midland.
KRRV, Sherman.
KTEM, Temple.
KVWC, Vernon.
KXOX, Sweetwater.
WACO, Waco.
KFPL, Dublin.
KRBA, Lufkin.
KRIC, Beaumont.
Texas State Network, Fort Worth.
*WTAW, College Station.
WDAH, El Paso.
KVIC Victoria.

Vermont
WDEV, Waterbury.
WQDM, St. Albans.

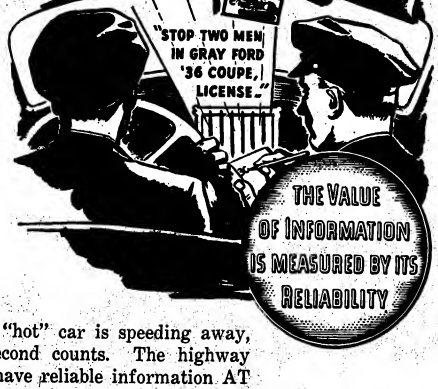
Virginia
WCHV, Charlottesville.
WFVA, Fredericksburg.
WLPM, Suffolk.
*WBBL, Richmond.

Washington
*KTW, Seattle.
*KWSC, Pullman.

West Virginia
WBRW, Welch.
WBTH, Williamson.
WLOG, Logan.

Wisconsin
WDSM, Superior.
WIBU, Poynette.
WMAM, Marinette.
WOMT, Manitowoc.
WSAU, Wausau.
KFIZ, Fond Du Lac.
WEMP, Milwaukee.
WHA, Madison.
*WLBL, Stevens Point.

Allan H. Miller, assistant general manager of WTOL, Toledo, has sold a short story of a travelling tent show and its people, entitled 'The Blow-Down,' to the Saturday Evening Post.



WHEN a "hot" car is speeding away, every second counts. The highway patrol must have reliable information AT ONCE. In spot radio, too, speed is often essential—speed with accuracy. When you need data on any John Blair markets, we see that you get it right now—with accent on the RIGHT as well as the NOW.

JOHN BLAIR & COMPANY
National Representatives of Radio Stations

CHICAGO 520 N. Michigan Ave. SUperior 8459
NEW YORK 341 Madison Ave. MUrray Hill 9-6084
DETROIT New Center Bldg. Madison 7889
ST. LOUIS 349 Paul Brown Bldg. Chestnut 5688
LOS ANGELES Ch. of Comm. Bldg. Prospect 3584
SAN FRANCISCO 608 Russ Bldg. Douglas 8188

'Nostalgic' Song Plugging

Jerry Vogel, whose catalog is rich in old tunes, is concentrating on the 'Gay '90s' circuit of niteries in New York and elsewhere, to keep himself busy until the ASCAP-radio situation rights itself.

Besides Bill Hardy's Gay '90s, there is the Ring Cafe (near Madison Square Garden), which has John Steel and Margie Coates; Jimmy Dwyer's Sawdust Trail, next to the Hotel Claridge, is also in the mauve decade groove; Billy Rose's Diamond Horseshoe ditto; and still another spot is Gallagher's steak house, now going for oldtime song shows.

Mardi Gras Sans Music

New Orleans, Feb. 11.

The Mardi Gras parades will be broadcast this year but not one note of music will come over the loudspeaker. The reason for the elimination of the musical interludes is the fight between ASCAP and BMI. Most of the music which the bands play in the colorful night pageants is ASCAP.

WWL states that its broadcast of the parades will originate from a soundproof booth in Canal street and WSMB pointed out that the Sugar Bowl game was broadcast without difficulty by the simple expedient of tuning out the band concerts, and expects to do that on Mardi Gras.

None of the national chains have yet decided to send the parade out over the networks for fear of violating the ASCAP order, local outlets said. The Association of Commerce, however, is still working on the idea of interesting one of the networks to put on a national broadcast.

KAYE NOT TO LEAVE BMI

Sydney M. Kaye, BMI v.p. and counsel, denied Monday (10) the report current in the trade that he had asked to be relieved of his BMI connections so that he could go back to the practice of law. Kaye stated that he had said something about his working hard, but added that he wasn't trying to get out of the job.

Report had it that he had told his superiors in the law firm of Rosenberg, Goldmark & Colin, CBS general counsel, that the BMI assignment was taking up all his time and that he was not a music publisher but a lawyer and he would like to get back to his profession.

Dick Mack on Vallee

Hollywood, Feb. 11.

Dick Mack has been named writer and producer of the Rudy Vallee Sealtest show to succeed Ed Gardner who goes East after next week's broadcast to produce and do the 'Archie' character for Schick's 'Duffy's Tavern.'

Mack for years was Edgar Bergen's scripter.

Clearance for Hillbillies

Nashville, Feb. 11.

Kay Brescia, wife of WSM conductor Pietro Brescia, proved a great aid to hillbillies and station officials of WSM after the radio-ASCAP break. In order to get clearance for hillbilly numbers, Miss Brescia transcribed down the music as the performers played their pieces.

This was necessary as many of the hillbilly tunes were never written down, and due in part also to the fact that many of the performers do not know how to read music.

Roy Acuff, leader of Smoky Mountain Boys, hillbilly band on WSM's Nashville Grand Ole Opry, back on show after two-week absence, during which time doctors took up option on his appendix.

CHAS. POLETTI ASCAP FEE AT $100,000?

Participation of Charles Poletti, Lieutenant Governor of New York State, in the consent decree discussions will probably cost the American Society of Composers, Authors and Publishers a fee of $100,000. Poletti came back into the parleys with the U. S. Department of Justice last week at the direct request of the department itself. ASCAP was told that if it wanted to negotiate a deal its interests would best be served if Poletti was retained to pick up where he had left off several weeks before.

ASCAP board of directors got, it is reported, one of its biggest shocks of the entire squabble with the broadcasters when the society received the first of the month Poletti's bill for services. It was quoted as being $50,000. This bill and the circumstances that led up to it was in large measure responsible for the sudden appointment of a new ways and means committee. Latter group was invested with complete authority over future expenditures, particularly as affecting legal assignments.

Radio Guide Calls ASCAP Fight Unwon, Broadc'ters 'A Little Smug These Days'

Movie-Radio Guide in its Feb. 8 issue reported on the results of a poll which it took among readers on the statement 'I think music on network programs since Jan. 1 is better, worse, or about the same.' The voting was as follows:

Worse	72.3%
Better	15.2%
About the same	12.2%

The text with the poll results comment, 'When three out of every four radio listeners say that the music they hear today is worse than it was, they will not long support such music. Broadcasters are a little smug these days over having put ASCAP in its place. Our figures show that the battle is not over. Broadcasters must do either of two things. They must get together with ASCAP or they must improve the quality of their BMI music. The American listener demands and deserves the best.'

Non-Cop Background

Milwaukee, Feb. 11.

When Nancy Grey, femme commentator of WTMJ, visited Los Angeles recently with her portable recording outfit she interviewed Jimmy Manos at the Cocoanut Grove on his contacts with Hollywood celebs. While they chatted, Freddy Martin's band was playing unnoticed in the background and when the disc was shipped back to Milwaukee and put on a turntable the suspicion was expressed that an ASCAP melody had inadvertently been trapped.

All the studio musical experts were called in and the platter run over and over again; in fact, it was about worn out before it was definitely determined there was no copyright infringement and the pancake got the official O.K.

Follow-Up Comment

Ethel, John and Lionel Barrymore participated last week in a heart-warming observance by radio of Miss Barrymore's 40th anniversary as a stage star. The two-way conversations between the sister in New York and the brothers, whom she called Lionello and Jake, in Hollywood had historic as well as histrionic interest. John enlivened the event with some free-style posturing and recollections of childhood incidents that suggested that, young or old, the Barrymores were always interesting mortals. But the broadcast was essentially Ethel's. Ethel, with a not completely hidden sob in her throat, signed off at the end with her classic line, 'That's all there is—there isn't any more.'

Alexander Woollcott's knack for the well-chosen phrase helped the program. Helen Hayes sounded sincere and Arthur Hopkins a gruff, old field marshal of the legit army. On the whole the event was choked with kindliness and good feeling, admiration for the remarkable woman now enjoying another hit in 'The Corn Is Green.' It was the sort of sentimental visit that doesn't occur often in life or on the radio. It was very nice.

'Radio Gossip Club' (of Chicago) extracted considerable breeze and news interest from the Eddie and Fannie Kavanaugh interview of Nan Rae and Maud Davis during turn's appearance at the Balaban & Katz Chicago theatre. Miss Davis took over alone for eight minutes after partner scrammed to makeup for the next show. She detailed her theatrical career, amusingly, beginning 'after the war—not the Civil War.'

Doubtful that the question 'is so and so Jewish'? should be answered over the air by the Kavanaughs. This has occurred at least twice recently. It introduces an odd slant, carries the unpleasant suggestion that the answer colors the attitude of the party putting the question.

Ethel Barrymore Colt, after laughingly detailing on 'We, the People' her many-sided show career (including everything but burlesque) and telling of her famous relatives, with one or two quips at 'Uncle John's' 'eccentricities), sang a number from Puccini's 'La Boheme.' The young woman, who said she had recently made her grand opera debut with the Columbia Company in Baltimore and intended to stick to this field, displayed a trained voice. However, the selection offered did not seem to be one which would give a real line, via loudspeaker at least, on Miss Colt's operatic possibilities. The script made her, perhaps intentionally, sound rather ingenuish. Speaking voice was pleasant. Diction at times sounded a bit cloudy. A big night on the air for the No. 1 theatrical family, Miss Colt's appearance was ballyhooed as the first for a Barrymore in grand opera on the radio.

Gulf-Screen Guild stumbled through one of its flimsiest programs Sunday (9) night with a pitifully feeble adaptation of S. N. Behrman's legit and screen piece, 'No Time for Comedy.' Norma Shearer, Walter Abel, Mary Astor and Hattie McDaniel played four of the five parts, the fifth being unbilled. Whole score of Behrman's play is his exposition of the civillzed, comic point of view in a rising tide of violent barbarism. But this radio version stressed the obvious plot framework on which Behrman hung his suave theme and, by skeletonizing the yarn, turned it into a tawdry little romantic triangle without characterization or logical motivation. Even in its sketchy form, moreover, the piece was so overlong that the actors had to rush through every speech without pausing for pace or expression. It was probably a new low for a supposedly prestige series.

'Music of Today,' recorded five-minute series at 8:15 a.m. Mondays through Saturdays locally on WABC, New York, has started its fourth season. Sponsorship is split three days each by Olson rugs and the Ed Wynn

'CLOVERBLOOM QUARTET'
With Marshall Pope
30 Min.—Regional
ARMOUR & CO.
Friday, 12:30 p.m.
KABC-TSN, San Antonio
(Lord & Thomas)

Originating at Fort Worth, this Texas State regional show in praise of Armour's Cloverbloom Butter and Cheese is a pleasing quarter hour of harmonizing by a staff quartet who are given the billing of Cloverbloom Quartet. Group indulges in old-time barbershop style.

Coming at the noon hour, and aimed at the old folks, program should prove a plausible investment.

Listeners are invited to submit a song title which is identified with an important event in their life. On each program winning letter is read as well as the song sung by the quartet. Award to listeners whose letter is used is a five-pound assortment of the Cloverbloom cheeses in a spun aluminum salad bowl.

TSN is licensed by both ASCAP and BMI, so the idea is convenient.

Commercials are in good taste and are ably handled by Marshall Pope. *Andy.*

'TOOTH AND NAIL'
With Louis Wolfe
30 Mins.
Sustaining
Sunday, 11:30 a.m.
WINS, New York

Already doing 'Kid Wizards' over WHN, New York, Tuesday nights, Louis Wolfe has now started another luve series Sunday mornings over WINS, New York. Called 'Tooth and Nail,' offers roundtable discussion about topics of day by groups of moppets. Three questions are considered on each show, with three different youngsters tangling over each topic. Prizes of five, three or one comic strip books are awarded according to studio applause. With certain reservations, it's an intriguing idea and makes a listenable novelty show.

Since urchins can hardly be expected to offer anything particularly wise or profound on public issues, the program is best when it gets away from attempts at grownup logic and the teen-age opponents begin their treble wrangling, interrupting each other and telling each other off. For that reason, the moppets are more diverting than the older boys—and, incidentally, they come just as close to being logical. Program is now arranged to bring the youngsters on first, which is a mistake, as the older ones are an anticlimax.

Subjects for argument are properly controversial, but should be varied more on each show. For instance, two of the topics recently were 'Should the U. S. Enter the War?' and 'Is the U. S. Safe if Germany Wins the War?'; while the third was 'Should Film Theatres Show Single or Double Features?' First two evoked parallel controversies and might as well have been the same question. Kids sound as if they had been carefully prepared for their first spiel, only getting steamed up in the ad-lib rebuttal periods.

Just as he does on his 'Kid Wizards' series, Wolfe is too patronizing toward the youngsters. The listeners might get more out of the show if he'd do a straight, giving practically no reaction whatever to the arguments, but merely keeping things moving and moderately orderly. Apparently nine different contestants are used on each show, with participants chosen from mail applications. *Hobe.*

By Woodbury's Leave

Salt Lake City, Feb. 11.

Ed Stoker spells off By Woodbury as musical director of KDYL as Woodbury leaves for a three months vacation.

Wife and two children will accompany Woodbury on a tour of the Eastern cities.

BENNY GOODMAN MUSIC
With Helen Forrest
30 Mins.
OLD GOLD
Monday, 7:30 p.m.
WJZ, New York
(J. Walter Thompson)

Well, un-pin these old ears and let them flap in the breeze if it ain't the old giddyyap of gut-bucket come back to coddle the cats.

If the above paragraph sounds slightly over-written, slightly self-conscious, slightly strangulating, it's not any more that way than the words put into the mouths of Benny Goodman, Helen Forrest, the Old Gold announcer and, more or less, the guester xylophonist, Red Norvo.

Such neo-Crosby dialog may seem bright and lively to the young and easily diverted. To others it will be a greater strain than it must be upon the author, unless he, too, is a kid. But probably Old Gold is aiming at the young and easily diverted rather than the loose sockets and short nervous circuits known as middle-aged folks.

Goodman remains what is known as a solid sender. His aggressive rhythm, his hard-driving beat are too familiar to require further description. It is the intention of this Monday night half hour to bring in some instrumental soloist each week. Red Norvo this show, Teddy Wilson next week, and so on. In the several specialties, combinations, changes of volume and the vocal interpolations by Miss Forrest, the whole program constitutes a demonstration of modern jazz as flagellated by such amazing, energizing, touch-down-scoring gents as Benny Goodman.

Benny Goodman jazz is the best. It has authority. It's hot enough to fry hamburger. Being all rhythm and practically no melody, it detours around ASCAP, safe from infringement because no judge could isolate the theme.

In stepping from Camels to Old Gold the sizzler and his group do the unusual. It's an unusual show all the way. But maybe the talk is a trifle too unusual? *Land.*

CEDRIC FOSTER
Commentator
15 Mins.
Sustaining
Sunday, 2:30 p.m.
WOR-Mutual, New York

Cedric Foster, who's been on the air in various capacities for several years, has lately been commenting on the news Monday-through-Friday afternoon over WOR-Mutual, originating at WTHT, Hartford, of which he's the station manager. He's now added another stanza Sunday afternoons, starting recently.

With a clear, straight-away delivery, Foster has an agreeable mike style and his comments are easily followed. His views offer nothing startling or especially illuminating. He does little analysis and no prediction. It's more or less what any casual reader would get from the dailies. *Hobe.*

In The Army Now

Tommy Smith Enlists

Philadelphia, Feb. 11.

Tommy Smith, program director of WPEN, leaves at end of the week to enlist with the 103 Engineers of the Pennsylvania National Guard as a buck private.

Smith, whose draft number was about up, said he decided to choose his own service before Uncle Sam pulled him in.

KOCY's Draftees

Oklahoma City, Feb. 11.

Four members of the staff of station KOCY here have recently entered the service. They include Leon Betz, a salesman; Mahlon Hickman, continuity writer and a reserve officers; Russell Black and Joe London, announcers. Betz and Hickman were called for a year's training.

Black is an air corps student pilot at Randolph Field and London is in the air corps ground service.

WCCO Staffers Leave

Minneapolis, Feb. 11.

The government's defense program is making inroads on the WCCO staff here. On Feb. 10 Lyman Swendson of the engineering staff leaves to report for active duty with the Army Signal Corps at Wright Field, Dayton, O. George Culbertson, a WCCO transmitter engineer, reports for physical examination next week preparatory to being summoned for active duty under his reserve officers' commission.

Fred Gropper With Troops

Fred Gropper, of the Compton agency production staff, drafted for military training. He also handled publicity for the agency and his final release, dated yesterday (Tuesday) started with the statement 'by the time you receive this, I will be in the army.'

His assistant, Isabel Olmstead, is subbing until further notice.

DON KERR
15 Mins.—Local
T-Th-S, 5:15 p.m.
WBT, Charlotte

It's a far cry from Lindy's on Broadway to Charlotte, N. C., but here is an old son of Broadway, Don Kerr, tossing off informal film news that is probably reminiscent of his appearances in New York as boss man of the Harlem Amateur Hour nights over WMCA. Sustainer is expertly handled by Kerr who writes his own stuff and delivers news of pix stars in a 'they're all pals of mine' manner that sounds convincing to this Bible Belt area. Program caught opened with Kerr introducing guest, WBT songster Dave Lane, prior to his leaving for Hollywood for a guest appearance on the Al Pearce show.

Next Kerr went to work on Katie Hepburn, who happened to be playing a one-nighter of 'Philadelphia Story' here and had refused to be interviewed by, of all people, him. Kerr, or by 'any members of the beastly press.' Skilled in the art of panning, Kerr barbecued Hepburn for five merciless minutes. He then reviewed current films. *Just.*

'THE LOST FLYER'
Dramatic
30 Minutes—Local
Thursday 10:30
WSB, Atlanta.

Bob Pollock's production wasn't up to Elmo Ellis' scripting on this session of WSB's 'Pan Americana.' George Hamrick's musical supervision was neat if leaning towards the cut and dried. Segues were adroit with soundman doing nice work throughout.

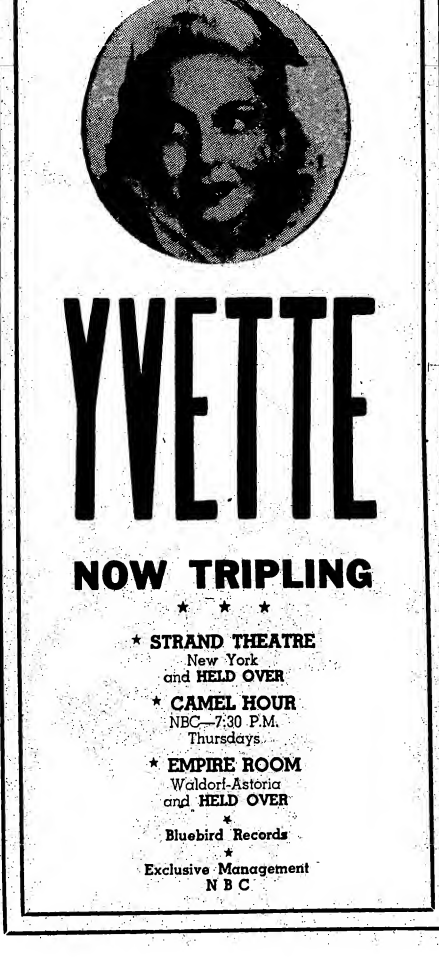
'The Lost Flyer' enacted the life of Paul Redfern, the flyer who left Brunswick, Georgia in 1927 to disappear in the South American jungle. The play told some of the rumors which later emanated from the jungles concerning the 'white god.' Several searching parties were organized but none ever found Redfern. *Jim.*

'INVISIBLE THEATRE OF THE AIR'
With Amy Sedell, Richard Quine, Jackson Beck, Sybil Bowan, Fay Baker, Foster Williams, Hank Sylvern
30 Mins.
Sustaining
Sunday, 4:30 p.m.
WINS, New York.

New dramatic sustainer is perhaps the most ambitious yet attempted by Hearst's WINS, New York. Idea is to use name leads and regular AFRA casts in 'the kind of plays not ordinarily heard on the air.' Troupe doing the series is called Allied Actors of Radio and is announced to include actors, writers and technicians who have banded together to do something different. Irving Strouse and Robert Cotten were billed as director and producer of Sunday's (9) initial stanza, Robert Green's 'The Crystal Ball.' Tamara Geva had been ballyhooed for the lead, but was 'too ill' to appear, so Amy Sedell substituted, it was announced, on 'only one hour's notice.'

Despite the introductory blurb, 'Crystal Ball' was not anything particularly 'out of the ordinary.' Merely a pulp-mag brand of crime yarn with a not-too-clear supernatural surprise ending. Only thing particularly mentionable was the presence in the cast of Sybil Bowan, vaudeville mimic, apparently making her dramatic radio debut as a chattery crystal-gazer patron. It was an acceptable performance of a one-dimensional part. Jackson Beck gave a cleanly-defined portrayal of a convict, but Miss Sedell and Richard Quine failed to register in the only other sizable roles. Foster Williams read the pretentious announcements and Hank Sylvern composed and played the passable organ bridges.

Production was simple, but adequate. Not a bad show for a small indie station. *Hobe.*



Gem Razor Buys WMCA Boxing Bouts; Gotham Continues Inactive

Gem Razor will pick up sponsorship of fight programs which WMCA, New York, has been carrying sustaining from the Bronx Coliseum. Commercial broadcasts start Feb. 18. Jimmy Powers and Joe O'Brien will handle the spiels. Programs air each Tuesday 9:45-10.30 p.m. Period is fixed to do main bout only, but in event feature is short following battles will be described.

Understood one of the reasons which decided Gem to buy program is that Mike Jacobs, N. Y. fight promoter recently took over the Coliseum, which indicated an improvement in the quality of the bouts.

WHN: Madison Long Island Personal Loan Co., through Klinger Advertising, one-hour program on Sunday, 'Buck Mason and His Bar-O Ranch,' and several 10 and 15-minute daily programs, 52-week contract; Federal Accident Insurance Co., through Huber Hoge & Sons, five-minute periods several times weekly, 52-week contract; Majestic Arts, Inc. (fireplaces, andirons, etc.), station-break announcements, 13-week contract; American Ice Co. (Knickerbocker Laundry Division), through Buchanan & Co., five-minute programs, 13-week contract; Penick & Ford, Ltd. (My-T-Fine Desserts), through BBD & O, station-break announcements; 13-week contract.

WINS: Carter Products, Inc. (Little Liver Pills), through Street & Finney; 312 one-minute announcements over a period of 52 weeks; Madison Long Island Personal Loan Co., through Klinger Advertising, 21 one-minute announcements weekly, 13-week contract.

WMCA: Postal Telegraph, direct, nine announcements; Roxy Theatre, through Kayton-Spiero, nine announcements; Horn & Hardart Co., through Clements Company, six 15-minute programs weekly, 'The Morning Herald,' 13-week contract; Vick Chemical Co., through Morse International, extending WMCA's contract for three additional announcements weekly; Music Box-Lyceum Theatres, through Kayton-Spiero, five announcements; Kemp & Lane, Inc. (Orangeine Headache Powders), through F. A. Hughes Co., announcements.

WNEW: United Radio & Television Institute, direct, 10-minute program five times weekly 'Music Hall,' quarter-hour program, twice weekly; Parker Bros. (Game Dlg), through Clements Co., 35 announcements weekly, 13-week contract; Howe Trade School, through T. J. Bumford Agency, quarter-hour program, 'Meet the Sun,' three times weekly, 13-week contract; Princess Pat, through Frank R. Steel Associates, 10 quarter-hours, 11 ten-minute periods, six five-minute periods, David Lowe and transcriptions, 13-week contract; Roxy Theatre and/or 20th Century-Fox Film Corp., through Kayton-Spiero Co., nine announcements.

WOR: S. A. Schonbrunn & Co., Inc. (Savarin Coffee), through M. H. Hackett, Inc., quarter-hour weekly program, 'Dorothy Thompson,' eight-week contract; Vick Chemical Co., through Morse International, five station-break announcements per week, 10-week contract; Kerr Chickeries, through N. W. Ayer & Son, one-minute announcements, 'Farmer's Digest,' three times weekly for two weeks; Stephen F. Whitman & Son (Candy), through Ward Wheelock, 35-word station breaks, three times weekly, 52-week contract; Parker Bros. (Dig), through Clements Co., 30-word announcements, 'Ed Fitzgerald' and 'Here's Morgans,, one week.

Feb. 8 Compared to Feb. 1			
Network Units	Local Units	National Spot Units	Total Units
165	10,364	8,874	19,403
165	10,427	8,797	19,389
*..	—0.6%	+0.8%	*.....

* No charge.
(Included: WHN, WMCA, WNBW, WQXR)

DETROIT MOUNTS

Uniform Gains Continue—Barbasol, Kreml on WWJ

Detroit, Feb. 11.

Improvement here, which has been continuing steady, took another healthy move upward last week in all categories, with all stations reporting better weeks still impending.

Most marked advance again last week was in the national spot group, which came up nearly two percent following a week which saw a four percent rise. The stations here are all running well ahead of comparable weeks in other years, with 1941 looming as one of the best in these parts.

WWJ: Ty Tyson Sports Review, 10 minutes, six times weekly, 52 weeks, for Barbasol and Kreml, through Erwin, Wasey; Oddities in the News, five minutes, six times weekly, 13 weeks, for Harry Sufferin Clothes, through Simon Michelson Co.

Feb. 8 Compared to Feb. 1			
Network Units	Local Units	National Spot Units	Total Units
9,476	11,911	4,421	25,808
9,395	11,834	4,335	25,564
+0.9%	+0.7%	+2%	+1.3%

(Included: CKLW, WJBK, WJR, WMBC, WWJ, WXYZ)

Hyde Park Suds Using KMOX's Laux on KXOK; Drops Six-Station Web

St. Louis, Feb. 11.

Through a deal made by Oscar Zahner, head of the local Ruthrauff & Ryan agency, with Merle J. Jones, gen. mgr. of KMOX, local CBS outlet, France Laux, KMOX baseball spieler, will air local major league baseball for the Hyde Park Breweries, an R&R account, over KXOK, the NBC (Blue) outlet in St. Louis. Deal was completed last week after it had been announced previously that KMOX was one of three CBS stations that was dropping baseball for the forthcoming season.

Laux will do a 'before and after the game' stint for General Mills and, additionally, will continue with his usual sports roundup every p.m. for his parent station. He, also, will continue as the chief gabber at KMOX.

It will be the 12th consecutive year that Laux will handle local baseball. He will be teamed with Charles 'Gabby' Street, one of the best baseball analysists in the mid-west, and Cy Casper of KXOK.

Because KXOK recently obtained an increase in its power to 5,000 watts on 630 kc. the Hyde Park Breweries will drop the six-station web in Missouri and Illinois that carried all of its broadcasts (day and night) last season.

DES MOINES BRISK

All Units on Upbeat—Local Gains 5.2%

Des Moines, Feb. 11.

All units showed action here during the past week, with local biz making the best showing.

Feb. 8 Compared to Feb. 1			
Network Units	Local Units	National Spot Units	Total Units
8,038	2,684	2,976	13,698
7,899	2,551	2,924	13,374
+1.8%	+5.2%	+1.8%	+2.4%

(Included: KRNT, KSO, WHO)

DeSOTO CARS ON WFBR; BALTO STEADY

Baltimore, Feb. 11.

Little change reported here except for slight rise in network count.

WFBR: Dr. Pepper, through Benton & Bowles, tied up half-hour midweek show of 'Dr. Pepper Parade'; Chrysler (DeSoto), through J. Stirling Getchell, 14 announcements; John Morrell & Co. (E-Z Cut Hams), through Henri, Hurst & McDonald, participations and spots, six times a week; Penick & Ford (My-T-Fine Desserts), through BBD&O, five one-minute announcements a week.

WCAO: George Washington Tobacco, through Wm. Esty, six spots a week.

WBAL: Vick's, through Morse International, 30 spots; Josselyn Candies, via Leon Golnick Agency, 27 spots; Meadowgold Ice Cream, also via Golnick, 20 spots.

Feb. 8 Compared to Feb. 1			
Network Units	Local Units	National Spot Units	Total Units
9,035	4,350	1,574	14,959
8,746	4,535	1,558	14,839
+3.3%	—4.1%	+1%	+0.8%

(Included: WFBR) WBAL, WCAO, WCBM,

Brewer Expands Reliance Upon Radio Campaigns

Chicago, Feb. 11.

Peter Fox Brewing Co., which has been successful in this territory through a spread of radio plugging, has expanded to take over the Michigan Brewing Co., of Grand Rapids, and plans a drive into the Michigan and Ohio territory.

With the acquisition of this property Fox DeLuxe is readying an immediate radio campaign in Michigan and is now setting a deal, through its agency, Schwimmer & Scott, for a ride on the Michigan Network and WXYZ, Detroit.

Hillbilly Participation Originates in a Barn

Louisville, Feb. 11.

New radio hillbilly show has been readied by John Lair, pilot of the Renfro Valley Barn Dance, to air over Mutual, and is slated to get under way this week. Show will occupy a 15-minute slot five times a week, and will be a participation commercial.

Shindig will originate at Renfro Valley, Kentucky, and will be produced in a barn at that location. Renfro Valley Barn Dance has long been a standard hillbilly show at WLW, and the troupe has in the past played many theatre and fair dates. WGRC will air the hillbilly frolic locally and feed the show to the Mutual web.

Rap-in-Wax Goes On

Minneapolis, Feb. 11.

KSTP just rolled itself up a record with Rap-in-Wax, the rolled wax paper, when the company signed up to go into the fifth year of participation the station's Household Forum, conducted by Bee Baxter.

Contract was re-signed after 220 weeks of the firm's participation.

Snow in San Antonio Means Biz

The Local Tally Is Good Golden Gloves Boxing Bouts Is Sponsored

KIRO'S 50,000

New Setup in Three Months—Seattle Units Weak

Seattle, Feb. 11.

KIRO, already in possession of authority to step up its power from 1,000 to 10,000 watts, has received added bounty via on FCC grant to operate on 50,000. Since no action was undertaken following the previous grant, current construction on new transmitting facilities will up the station directly from 1,000 to 50,000 watts. According to H. J. Quilliam, manager, the new setup will be ready for operation in three months.

Feb. 8 Compared to Feb. 1			
Network Units	Local Units	National Spot Units	Total Units
6,355	10,667	692	17,714
6,330	10,043	692	17,665
+0.4%	+0.2%	*...	+0.3%

* No charge.
(Included: KIRO, KOL, KRSC)

Denver Nat'l Spot Tidy 13%; Palmolive To KOA for 1 Yr.

Denver, Feb. 11.

KFEL signed up the Rainbow Dance Hall for three quarter-hours weekly for a year and the Chez Paree cafe for 11 months on daily announcements and three half-hours a week.

KFEL: Rainbow Ballroom, three 15-minutes weekly, one year; Willard Tablet Co., through First United Broadcasters, six five-minutes weekly, indefinite; Chez Paree cafe, daily announcement and three half-hours weekly, 11 months; Kilpatrick Baking Co. added a fourth quarter-hour to their three a week; Waltham Fountain Pen, through United Advertising Services, 312 five-minutes to run for one year; Pacific Aviation Training School, four announcements; Lydia Pinkham, through Erwin, Wasey, eight announcements a week, four months; Marine Electrolysis Eliminator, one announcement daily, one month; Broadway Department Store and Paramount Boot Shop, through Ted Levy agency, one announcement daily one month.

KLZ: H. H. Frumess Jewelry Co., through Robertson agency, two time signals each night, one year; Washington State Apples, through J. Walter Thompson, 30 one-minute announcements; Nob Hill Coffee, through McCann-Erickson, 200 chain breaks; Miller Super Markets, two spots; Capitol Rubber & Tire Co., through Raymond Keane, 13 announcements; Hillex Co., through McCord agency, 42 announcements; Anaconda Sales Co., through McCord agency, 30 announcements; Leeman Auto Co., through Bodkin agency, 11 announcements.

Feb. 8 Compared to Feb. 1			
Network Units	Local Units	National Spot Units	Total Units
8,160	4,249	1,658	14,067
8,370	4,232	1,467	14,069
—2.5%	+0.4%	+13%	*

* No change.

(Included: KFEL, KLZ, KOA, KVOD)

Clarence Talbot, KOIN-KALE, Portland, Ore., staff writer flew to Spokane recently to have emergency operation performed by his father, a surgeon in that city.

San Antonio, Feb. 11.

This city saw the second snowfall in 10 years last week in an unprecedented cold wave which has swept the south. Vick Chemical Co., in behalf of their cold remedies, have given a five-week renewal to their five-minute newscast period aired through station KTSA here. Deal was set through Morse International.

Local units took a sharp upward swing with over four and a half hours of boxing from the Golden Gloves tournament aired through KABC, and several hours of Texas Open Golf tournament aired through KTSA.

Several new programs debuted through the Texas State Network adding to the network totals. Biz at all stations is more than holding its own.

John Considine, general sales manager of General Drug, was in the city the past week and was a guest of KTSA who handle the Rexall account.

KONO: Turkish Village, new local night spot, three spot announcements per day; Helene Rubenstein Cosmetics, four 100-word announcements concerning sale at Joske Bros. store; Calpini, an additional 14 announcements for the next two weeks.

WOAI: Colgate - Palmolive - Peet (Palmolive Soap), through Ward Wheelock, five announcements per week for 52 weeks; Campbell Cereal Co. for Malto-Meal, through H. W. Kastor & Son, five announcements per week; Beech-Nut Packing Co., for Beechies, through Newell-Emmett, 14 chain break transcribed announcements per week; William Cameron & Co., through Tracy-Locke-Dawson, three one-minute announcements per week; W. K. Kellogg Co., through Kenyon & Eckhardt, 10 one-minute announcements per week; Sheaffer Pen Co., through Russel M. Seeds, four announcements per week.

KABC: Golden Gloves Boxing Tournament co-sponsored by San Antonio Buick Co., Martin Wright Electric Co., and San Antonio Seven-Up Co.; Millers Money Program, through Allan & Reynolds, two additional quarter-hours, program now airing Monday through Friday; Texas Exposition Shows, five spot announcements daily; 'Your Mutual Friend' for Mutual Fire Insurance Co., half-hour Mon., Wed., and Fri., through Texas State Network.

Feb. 8 Compared to Feb. 1			
Network Units	Local Units	National Spot Units	Total Units
6,251	8,437	1,391	16,079
6,016	7,987	1,341	15,344
+3.9%	+5.6%	+3.7%	+4.8%

(Included: KABC, KMAC, KONO, KTSA, WOAI)

WEMP USING 24-SHEETS AGAINST RIVAL WTMJ

Milwaukee, Feb. 11.

WEMP, which since its affiliation with the NBC Blue network has been unable to buy display space in The Journal, owner of WTMJ, the NBC Red outlet, has now gone in for a billboard advertising campaign to lure listeners of other stations to its own programs. For a starter the indie station without a direct newspaper connection has contracted for some 20 24-sheet stands spotted in strategic locations about the town.

Execs assert that the NBC hookup and the use of ASCAP music on the station's own time has given it something its competitors lack, greatly increasing its listening audience.

DON'T MISS
PALMOLIVE'S
"HILLTOP HOUSE"
STARRING
BESS JOHNSON
By Adelaide Marston
Dedicated to the women of America.
The story of a woman who must choose between love and the career of ising other women's children.
WABC-CBS—4:30-4:45 P.M., EST
78 Stations Coast-to-Coast
Direction WARD WHEELOCK CO.
Management ED WOLF, RKO BUILDING, New York

EVERETT GEORGE OPIE
CREATOR, AUTHOR AND PRODUCER OF
ARMOUR'S "YOUR TREAT"
Coast-to-Coast Transcription Series
18 years' experience as radio station and advertising agency executive creating and producing successful commercial programs. "Her Honor, the Mayor"—timely, new serial NOW AVAILABLE.
64 E. Jackson Blvd., Chicago, Ill. Webster 7225

OFFERS HOT-DAZE CURE

Time Signals for Water Heater In 4th Yr. on KNX; L. A. Lags

Los Angeles, Feb. 11.

Differential in last week's summary over the previous week approximates the width of a gnat's whisker. On the total there was a diff of 21 minutes of sold time—but on the slough side. Local biz slipped badly, affecting the whole picture.

KNX noted a bright speck in the leaden sky in renewals of two pet accounts, which use the CBS outlet exclusively. Day and Night Water Heater Co. extended its weekly schedule of time signals for the fourth year. With 60% of its budget earmarked for radio, Hixson-O'Donnell agency reports 550% increase in southern California sale in the four years it has given the time of day to KNX listeners.

Another quarterly pickup is that of State Architects Assn, which is in its fourth semester of 'What, No Architect?' Program rides the Sunday forenoon time and for its weekly expenditure of $125 per week is claimed to have accounted for $1,500,000 worth of biz for the architect designers over a stretch of 39 weeks.

KNX: Ford Dealers, 12 time signals, through McCann-Erickson; Old English Wax, 78 participations in Fletcher Wiley combination.

KHJ: Neighbors of Woodcraft, 26 half-hour periods, through Mac Wilkins & Cole; Armand Co., 78 announcements, through Russel M. Seeds; U. S. Playing Card Co., 156 announcements, through J. Walter Thompson; Mission Water Heater Co., 65 participations in Norma Young and Eddie Albright periods, through Robert Dennis; Wheat Alone, 18 participations in Norma Young's 'Happy Homes,' through C. H. Mayne.

KFI: Sontag drug chain, 26 half-hour periods of Ted Cook's 'One Man Mass Meeting,' through Robert Smith; Antrol, 26 participations in Art Baker's 'Notebook,' through J. Walter Thompson; Ford Dealers, 19 announcements, through McCann-Erickson.

KECA: Todd Clothes, 12 quarter-hour broadcasts of 'Dear Uncle Sam,' through N. J. Newman; Southern Furniture, 13 quarter-hour broadcasts of 'A Layman's Views of the News,' through Alvin Wilder; Sontag drug, 65 quarter-hour newscasts, through Robert Smith; Ford Dealers Advertising Fund, 14 one-minute transcriptions, through McCann-Erickson.

Feb. 8 Compared to Feb. 1			
Network Units	Local Units	National Spot Units	Total Units
13,181	8,775	1,416	23,372
13,127	8,872	1,394	23,393
+0.4%	—1.1%	+1.6%	*

* No change.
(Included: KECA, KFI, KFWB, KHJ, KNX)

G.E. Selling via WGY Electric Blanket

Schenectady, Feb. 11.

General Electric has quarter-hour late Monday night on its WGY to plug its electrically-heated blanket. Move is considered significant by observers in pressaging a possible policy of using other open time to advertise GE products via company-owned station. Heretofore, local advertising by GE on WGY has been institutional only. Electrically-heated blanket has not previously been heavily merchandised, although potentialities are considered great.

Vic Campbell is emceeing programs. It cuts to a quarter hour the station's only regular sustaining audience participation show, 'Gordie Randall Entertainers.' Randall heads the house band. The 'House of Magic' exhibition is still used as a drawing card.

Campus News Round-Up of Texas colleges and universities, is being aired on alternate Thursdays on the Texas State Network. Originates from KPLT, Paris, Texas, under direction of Hiram Goad, a student at the East Texas State Teachers College.

Up Early With Drugs

Boston, Feb. 11.

Consolidated Drug Trade Products, Inc., Chicago, established a precedent in New England by sponsoring the first full hour broadcast starting at 5 a.m. over WEEI, aimed to catch early-risers and especially the one and one-half million farmers in this radius.

Transcribed hill-billy music is used throughout. The program is divided into 15-minute sections advertising Zymole Trokeya, Kolor-Bak, Yeastfoam and Peruna.

SPOT IS SOLE GAINER IN CHI

Chicago, Feb. 11.

Business on local radio is riding along at a steady pace, with the best indications for added activity revealed in the national spot billings. And in these billings again news stands out as the number one choice for program material by national spot buyers. With the world crisis as it is, the advertisers are convinced that news will bring the maximum amount of listening attention per dollar spent for programming.

Figures for January by the NBC stations here show another increase for both WMAQ and WENR, the former jumping 21% above the corresponding month of 1940 and the latter upping 32%.

WMAQ: Manhattan Soap Co., for Sweetheart Soap, expansion of present five-minute news shots across the board to full 15-minute periods, through Franklin Bruck; American Chicle Co., 15-minute sports news period six days weekly, through Badger, Browning & Hersey; Beaumont Laboratories, 15-minute news period twice weekly, through H. W. Kastor; W. F. McLaughlin Co. renewed 10-minute period six days weekly, through Sherman K. Ellis.

WGN: Bristol-Myers, for Minit Rub, renewed 15-minute news period three times weekly, through Young & Rubicam; American Chicle Co., 15-minute recorded music period three times weekly, through Badger, Browning & Hersey.

WIND: Acton-Fisher Tobacco Co., 30-minute period five days weekly, in 'Sports Edition,' through Weiss & Geller; Congress Cigar Co., 30-minute baseball game re-creations through entire baseball season, through Marschalk & Pratt; Walton Motors, 30-minute period daily on Eddie Chase's 'Off the Record,' through Morris & Davidson.

WBBM: Colgate-Palmolive-Peet, time signal announcements each Sunday, through N. W. Ayer; Reid Murdoch Co., 38 announcements weekly, through Rogers & Smith.

Feb. 8 Compared to Feb. 1			
Network Units	Local Units	National Spot Units	Total Units
9,845	6,255	11,309	27,409
9,915	6,287	11,260	27,462
—0.7%	—0.5%	+0.4%	—0.2%

(Included: WBBM, WENR, WGN, WIND, WJJD, WLS, WMAQ)

HEALEY ON 3 STATIONS

Has Sponsors on WGY, WTRY and WTIC, Hartford

Schenectady, Feb. 11.

Jim Healey has started a series of quarter-hour Sunday afternoon commentaries on WTIC, Hartford, for Save-the-Baby (croup-cough remedy). These are in addition to the Albanian's thrice-weekly programs for same sponsor on WTRY, Troy. Leighton & Nelson is the agency.

Healey also has been broadcasting a 30-minute 'Review of the Week' for Knox Gelatin over WGY, Schenectady, on Saturday night.

Leighton & Nelson the agency for this one, too.

LORD & THOMAS SUGGESTS PLAN

Time Buyer Jack Laemerr Thinks Something Should (And Can) Be Done About Semi-Annual Confusion Due to Lack of Uniformity on Daylight Saving

ASKS COMMENT

Chicago, Feb. 11.

Editor, VARIETY:

I would like to outline through VARIETY very briefly a plan for the solution, or at least an improvement, of the present practice in the radio industry of the time change situation. Reactions from your readers will be welcomed.

As you know, twice a year the majority of the stations in the country have to adjust and realign their program schedules. I have been told by numerous station men that it is necessary for them to devote almost the entire months of September and April, simply to take care of this problem.

Because of this, we are trying to get under way a plan by which radio would observe standard time. This perhaps will not be a cure-all, but we believe it will do much to facilitate the practice as we now know it.

If radio were to observe standard time, cities observing daylight time would have network programs broadcast one hour later than during the standard time period. This would really create only two problems. First, 10 p.m. New York originations would be on at 11 o'clock. Secondly, 5 o'clock New York originations would be on at 6 o'clock. Of course the only cities in which these factors would create a problem are in those cities in the Eastern Time zone observing daylight saving time.

With regard to the programs originating at 11 o'clock during daylight saving time, this would not be quite as bad as it sounds, for actually I believe listening habits are later in the summer. But primarily the disadvantage of this later hour is offset by the saving which would accrue to the advertisers because their programs would be originating at 11 o'clock.

With regard to the 5 o'clock originations for these cities, the only problem would be in rate adjustment as the night rate would apply to this time when it is moved up to 6 o'clock. This would call for the cooperation of the networks and stations, as most likely a transitional rate would be required. As far as the stations are concerned, there would not be loss of income with regard to this problem, because an additional hour would become available for commercial sponsorship.

The present practice has been in effect for years and nothing has been done to remedy it. Now we are trying to get under way the plan briefly outlined above. It is going to call for action and cooperation by all concerned. Therefore, we would greatly appreciate it if you could use all the means at your disposal to promote this plan in the radio industry and with the advertiser. Thanks so much for your cooperation.

LORD & THOMAS,
By Jack W. Laemmer,
Radio Time Buyer.

Crown Cola Buys Spots

Though B.B.D. & O. is the agency on the account, Crown Cola (Nehi) has been buying spot time through its Baltimore district manager. Latter's particular quarry has been five-minute news periods.

His bookings so far have been in Pennsylvania, Maryland and the District of Columbia.

Takers Plentiful, KSFO Expands Femme Show to 90 Mins; Frisco Off

Garbled Report

New Britain, Conn., Feb. 11.

WNBC spot buyer, Meister Realty Co., complained to station sales department it was getting too much for money.

Sponsor said contract was for 125 words and that should be maximum. Threatened 'cut down my plug or cancel my contract.'

Ralph Klein, head of WNBC continuity, posted rule limiting all 30-word blurbs to 95 words.

PACKARD IN BLURB SPLASH

Packard is making one of its periodical spot announcement splashes. It's for a week, starting Saturday (15). The campaign calls for 14 night-time transcribed blurbs on Class A stations and seven night-time and 14 daytime airings on Class B outlets.

The business may go to as many as 100 stations. Young & Rubicam is the agency.

KNX Showcaser Taken By Hudnut for Trial Spin

Hollywood, Feb. 11.

'Hollywood Showcase,' KNX sustainer, has been taken by Benton & Bowles for Richard Hudnut's Marvelous Cosmetics. Half hour show airs over Columbia's Pacific network beginning in March on a 13-week trial spin.

Program exhibits the talents of semi-pros and advanced amateurs.

Fire Insurance Company Sponsors 'State' News

Austin, Tex., Feb. 11.

The Mutual Fire Insurance is presenting three half hour broadcasts per week, through the Texas State Network with station KNOW originating the series.

Gives news from the state departments, which are located here.

PROPOSE BOOZE BAN

Radio Ads Called 'Distressing and Pernicious'

Philadelphia, Feb. 11.

The Pennsylvania Anti-Saloon League announced it would seek passage of a law at the present session of the Legislature to ban the advertising of beer and wines over the radio. F. Scott McBride, State superintendent of the League, said that advertising of alcoholic beverages over the air 'was most distressing and pernicious.'

Another aim of the league was to ban road houses within five miles of army cantonments.

Armour in 4 Towns

Chicago, Feb. 11.

Armour will use plugs in four added towns, Atlanta, Utica, Wooster, Ohio and Wilkes Barre.

Purchases through the Lord & Thomas agency here, with the schedules to run six weeks.

Phillips' 3rd Renewal

Minneapolis, Feb. 11.

Phillips Petroleum Co. of Bartlesville, Okla., has signed up for another 52 weeks of KSTP's nightly 'Tomorrow's Headlines Tonight' show. It will be the company's third successive year of newscasting sponsorship on the station.

Program has Brooks Henderson and Halsey Hall airing news and sports, respectively, and runs six nights, 10 to 10:15 o'clock.

San Francisco, Feb. 11.

KFRC snagged another 52-week quarter-hour series this week. Show is 'Hero of the Week' to be aired Sundays for Wellman, Peck & Co. (foods), starting Feb. 23. Theodore Segall agencied. Also signed up Pacific States Oil Co. for 156 three-a-week quarters via Continental Advertising, L. A., for the stripper, 'Black Flame of the Amazon.'

Monday (10), KFRC also pushed back its opening to 6 a.m., giving an extra half-hour leeway to the participation 'Rise and Shine' show handled by Vic Paulson.

KSFO has expanded Galen Drake's 'Housewives League' by 30 minutes to a total of 90 minutes, already 100 percent sold. Show is now scattered over four periods, two of 15 and two of 30 minutes, due to fact station hasn't got enough available time i one piece.

KROW has sold 'Learning to See,' weekly quarter commented by Philip Van Slyck, to Drs. Reinke and Nichols, optometrists.

KFRC: Pacific States Oil Co., through Continental Advertising, L. A., 156 quarter-hours, three weekly, 'Black Flame of the Amazon'; Federal Outfitting (department store), through Allied Advertising, 365 100-word spots; Armand Co. (shave cream), through Russel M. Seeds, Chicago, 78 spots; Wellman, Peck & Co. (foods), through Theodore Segall, 52 weekly quarter-hours, 'Hero of the Week'; Calgo Dog & Cat Food, through Segall, 52 weekly quarter-hours, 'Pet Exchange' (renewal); U. S. Playing Card Co., through J. Walter Thompson, 156 one-minute spots.

Feb. 8 Compared to Feb. 1			
Network Units	Local Units	National Spot Units	Total Units
10,806	3,588	1,945	16,339
10,606	3,541	2,037	16,384
*	+1.3%	—4.5%	—0.3%

* No change.
(Included: KFRC, KGO, KJBS, KPO, KSFO)

CHICLE'S SPLIT SHIFT WITH NBC ON COAST

Hollywood, Feb. 11.

American Chicle Co. has concluded an unique arrangement with NBC for three-time weekly broadcast of 'Drama Behind the News' series over the coast blue network. Shoving off Feb. 17, quarter hour narration by Franklin Bingham rides as a sustainer for one week and thereafter goes commercial three nights a week. NBC continues program as a sustainer on Thursday nights.

Show is similar to that being aired regionally in other parts of the country, with all programs using the same script.

Schwimmer & Scott Disposes of Commitment

Chicago, Feb. 11.

Schwimmer & Scott agency, which went out on the limb and purchased a full block of 60 minutes each night on the Ralph Atlass station, WIND, last week disposed of the second half for sponsorship. Two advertisers splitting up the hour of recordings and chatter will be the Hudson Dealers of Cook County and the Hirsch Clothing Co.

Harold Isbell has been signatured by the Schwimmer & Scott outfit to m.c. the show, which will be tagged 'Music Box.' Program rides each day at 6 p.m.

Drake Cake in Spot

Drake Cake has popped up in the spot market with a call for chain-break announcements. It's offering to buy the between network show blurbs in wholesale lots, anywhere from 200 to 300 of them at the rate of two to five a day.

Young & Rubicam is the agency.

Irving Berlin Pessimistic on Consent

'Don't Think Government Understands Our Problems,' He Says in Buffalo

Buffalo, Feb. 11.

Gloomy picture of ASCAP's present and future was painted here Saturday (8) by Irving Berlin, high-ranking member, during a visit to local Boy Scouts to whom he gave $3,000 of 'God Bless America' royalties. Describing the bottom-dropping out of sheet music sales, Tin Pan Alley firms laying off staffs and the 'drastic' terms of the proposed Department of Justice consent decree, Berlin stated 'All in all, the picture is not a pretty one. I'm frank to confess the boys in New York are pretty blue about it.'

Although not a member of ASCAP's board, Berlin was vigorous in stating 'we're not going to accept an agreement that will put us out of business. I don't thing the government understands our problems.'

'BMI can accept a consent decree as drastic as the government wants to make it in the hope of setting a precedent for us,' asserted the tune-writer. 'Their only interest is getting music as cheaply as possible. If it wasn't for the government we'd have a good chance of winning our fight.'

Commenting on BMI's output, Berlin stated 'they have some pretty swell songs,' naming 'There I Go' for 'as professional a song as has been written in a long time.'

'But their average is not good. Even pros can't turn out songs that fast, like frankfurters.'

Berlin said he was certain the longer the music war ran, the more good it would do ASCAP. 'Not much mail is being written, but people are missing our music. It's a subtle thing—people just are turning their radios off.'

'Sunrise' an Involved Case of Copyrightitis; Mutual Is Antiseptic

Hollywood, Feb. 18.

Mutual refused to take a chance with the airing of 'Sunrise Serenade' on the Greek Relief broadcast Saturday night (8) and cut off Connie Boswell as she started on the tune, substituting a recording from the studio. WOR, Newark, which monitored the show, explained to listeners that the number hadn't been cleared. NBC had cleared the song through its local organization and consequently broadcast the number.

Miss Boswell had used her own lyrics for the number, as the writer of the words of 'Sunrise' is an ASCAP member.

Anticipated Headache

Some such difficulty on this number had been anticipated in music circles since the outbreak of the ASCAP-radio war. Jewel Music Co., publisher of 'Sunrise,' is a member of the Society of European Stage Authors and Composers and all the networks are licensed by this organization. ASCAP has declined to give any official pronouncement on what action it would take in the case of divided performing rights such as this one, but the impression that has prevailed among music industry lawyers is that both SESAC and ASCAP had the right to license a song where the publisher-writer control was split between the two societies.

Music Notes

Dmitri Tiomkin completed his scoring job on 'Meet John Doe' at Warners.

Jimmy Van Heusen goes back to Hollywood tomorrow (Thursday) to begin work on a new batch of tunes with Johnny Burke.

Louis Alter' ditty, 'Dolores,' cleffed for 'Las Vegas Nights' at Paramount, has been recorded by Bing Crosby for Decca and Tommy Dorsey for Victor.

Franz Waxman started pre-recording on his musical scoring for 'Dr. Jekyll and Mr. Hyde' at Metro.

Herbert Stothart, currently winding up the score of Metro's 'Boys of Men's Town,' goes to work on a similar job for 'Blossoms in the Dust.'

Band Reviews

ROY FOX and ORCH (11)
Featuring Kay Kimber
La Martinique, N. Y.

Roy Fox, like Jack Harris, is among the American maestros repatriated from London smart club successes that lasted a decade or more. Back in the States he's had to reorganize his own combo. Spotted in the swank LaMartinique, he gives out a nice brand of dansapation with a unit that's strong on reeds and strings, including but one trumpet among the setup of four saxes, harp, piano, string bass, drums and violin (two of the reeds, however, double into fiddle). Kay Kimber who's been in pictures and Broadway musicals, last in 'Two for the Show,' is vocally featured but was absent on the night caught.

Fox himself is a good figure at the helm, now confining himself to batoning where formerly he was 'the whispering cornetist' at the old Avalon Club, during the speakeasy era in New York. He had just come in with Earl Burtnett's band, both having formerly worked as kids for the late Art Hickman in Frisco. As 'whispering cornetist' with Marion Harris, Fox drifted to London when that comedienne was booked abroad where he ultimately organized his own band. Incidentally Miss Harris is still somewheres in or around London, having married Len Urry, Roy Fox's ex-manager. *Abel.*

VAUGHN MONROE ORCHESTRA
With Marilyn Duke, Joe Connie, Ziggy Talent
Hotel Statler, Boston

In ten months, Vaughn Monroe has really come ahead. He's 9th rung in Martin Block's band popularity poll, and doing nicely on Bluebird's records, fan mail and crowds wherever the band has played.

Originally Vaughn was vocalist with Larry Funk, but last three years has led small unit for Jack Marshard organization, until he assembled present crew. His assets include gentlemanly appearance, youth, musicianship, ability to handle band and also cater to patron's pleasure. Has vibrant baritone voice okay in both ballad or rhythm numbers. Often he clops back into brass section to capably handle a trumpet.

He subdues his band during dinner sessions, and adds more lift later in evening, but is cautious to study the clientele. Intermingles rhumbas and tangos with fox trots skillfully, for this room caters to a 50-50 crowd of old people and youngsters.

Unusual for this hotel to see people crowd around bandstand to watch the proceedings, for Vaughn employs change of pace with Ziggy Talent for novelties and Joe Connie in boogie-woogie.

Vaughn recently added attractive Marilyn Duke to sing and she pleases with good phrasing, quality and delicate shadings. Between sets, she also sings to her own piano accompaniment.

The band consists of four rhythm, four saxes, three trumpets and two trombones; ensemble work outstanding plus solos by Andy Bagney on clarinet, 16-year-old Bobby Nichols on trumpet and Frank Levine on sax.

Above all, Vaughn insists that the melody always be distinguishable, and is working for melodic band, but can also tear roof off when occasion demands as well as play dinner sessions.

It is noteworthy that teamwork prevails at all times and men don't fight to outshine one another. Arrangements mostly by Johnny Watson, ex-Jan Savitt, and others by Al Datz and Art Dedrick—all done with good taste and to show the band up well as a unit. *Paul.*

GRIFF WILLIAMS ORCH. (13)
Stevens Hotel, Chicago

This started out to be a nitery review, but that isn't necessary since the entire show and reason for the Continental Room is the Griff Williams orch. This Continental Room of the world's largest hotel used to have a floor show with girls and acts, but recently has decided to leave everything to the Williams orchestra.

This was based upon the fact that the Williams orchestra, alone of a long list of orchestras, has been able to make a real winner out of this quiet and dignified room. For the people who like quiet and charming music, music with a leaning towards lilt and melody, the Continental Room is a haven.

This band has three brass, three reed, three violins and two pianos besides the bass and drums. It's pretty unusual to find even one fiddle in a pop band these days, but here are three of them and they give a certain charm of tone that makes the Williams orchestra distinctive and picasant on the ears.

Group plays a great dinner hour, yet later for supper proves it can swing out with rhythm for more concentrated hoofing.

Williams plays a lush piano besides directing and does a good job of handling the general proceedings. Two vocalists in the orchestra are Bob King and Charles Gaylord and they handle themselves capably. Williams has just organized a vocal quartet in the orchestra and it appears that it will develop into a high spot in the band's bag of tricks. *Gold.*

Out-Colossaled

David Broekman is one Coast maestro who has found New York to his liking. He says:

'Here I lay off with 60 men while in Hollywood I lay off with only 16 men.'

Billy Rose Sez 'ASCAP Should Pull in Belt'; Confident of Victory

'I'm only one of the rank-and-file songwriters in ASCAP,' says Billy Rose, 'but as I've said before I consider it my biggest stake in life, because the Society is too close to the welfare of every songwriter, whether he's since become a producer or a Hollywood scenario writer or a tycoon in other fields, as have some of us.

'Hence,' say I, 'I'd just as lief see ASCAP trim its sails and decide to live on a $2,500,000 a year income, for the next year or two, instead of $6,000,000, to which we have geared ourselves with progressively successful years, and let's give the networks a real fight. Let's see if they can get along without our music; whether their advisers will be happy to continue doing so.

'It's nothing for songwriters to pinch their belts and be a bit hungry. Maybe dieting won't hurt some of the sitter-arounders in Lindy's; certainly we should all be used to that in view of our past experiences.

'But it's one thing for actors to fight Albee or the Shuberts, and another for us songwriters and publishers to fight the big electrics. They're too powerful. They've had a strong lobby in Washington for years; we've been caught sleeping. But in a year or so we can and should certainly catch up with them.

'However, that's just what I think. What the board and its paid officers do is something else again. Maybe the consent decree is the wisest expediency now for a quick settlement of the issues. They'll decide that—they, their lawyers and Thurman Arnold, I guess.'

JOURNAL'S LATEST RAP

Thinks ASCAP Efforts to Win Sponsors Is 'Unethical'

Milwaukee, Feb. 11.

That the pro-BMI Journal, owner of WTMJ and the FM station W9XAO, is overlooking no opportunity to assail the opposition, is illustrated in its following editorial:

ASCAP Tries Dollar Pressure

About as glaring an attempt to use unethical 'pressure' as we have seen in a long time is announced by the American Society of Composers, Authors and Publishers, the organization for the control of copyright music which is now in a battle with the radio stations over fees and also with the department of justice over methods.

ASCAP announces that it has sent an open letter, signed by 250 musical and educational leaders, to 3,000 radio sponsors asking them to use 'their influence' in settling the radio-ASCAP dispute.

What ASCAP means of course is that it wants the sponsors to turn the heat on the broadcasters so that they will submit to ASCAP's demands. The sponsors are the advertisers who support radio. So this is an effort to whip radio into line by controlling its advertising.

If the ordinary business of the nation tried to control radio or the press in the same way, what a howl there would be. And it would surely come from a good many of these same 'musical and educational leaders' who find no qualms in helping ASCAP in its attempt to torpedo the freedom of radio through agitation for advertising pressure.

Inside Stuff—Music

BMI alliance with Benny Goodman, Tommy Dorsey and Larry Clinton on subsid music publishing affiliates is a broad scale extension of a w.k. Tin Pan Alley 'angle.' All have done the same for ASCAP publisher-members in the past, i.e. slipped one or another certain pet tunes. Goodman gave the new Bregman-Vocco-Conn setup a fast start with 'And the Angels Sing' by Ziggy Elman, a member of Goodman's band. Horace Heidt had much to do with many a BVC tune. Larry Clinton was contracted to Robbins Music Corp. as a composer, etc.

Some of the biggest jukebox hits, such as 'Beer Barrel Polka,' 'Ferry-boat Serenade,' 'Woodpecker Song' and others came directly off the wax, 'discovered' by bandmen and 'made' mechanically.

Another auto crash involving a bandleader temporarily stopped Bernie Cummins two weeks ago outside Dallas, Texas. On his way from San Francisco to a date at the Baker hotel, Cummins got to the outskirts of Dallas, skidded and turned turtle three times in his own car. He opened at the hotel with a brace supporting a dislocated vertabrae.

In the car with him were Walter Cummins, his brother and vocalist with the band and Jeri Sullivan, femme vocalist. Neither was hurt badly enough to require much medical attention. Ray Kinney replaces Cummins at the Baker Friday (14).

Harry Engel has effected a tieup with Ernst Lubitsch for mutual exploitations of the Broadcast Music number, 'That Uncertain Feeling,' which is also the title of the Lubitsch film for United Artists' release. Tune by Jack Owens will be recorded for distribution to radio stations and in reciprocation the picture's press sheet and other advertising will make mention of the song. Sheet music cover carries art of film's stars. Arrangement assures 'Feeling' heavy plugs on network stations.

Another unexpected jukebox hit may be 'My Next Romance,' tune by Ruth Lowe, her second, on top of 'I'll Never Smile Again' (Ralph Freed's lyric) which, while released last fall, has been slowly gaining momentum. Coin machines report it as an unusually strong nickel-snatcher on the strength of Tony Martin's Decca waxing. Mercer-Morris published it.

'There Will Always Be an England' has already sold over 35,000 sheet music copies in this country. The call for this tune, published by Dash-Connelly, has been steady almost totally without the stimulation of radio plugs.

In Canada the sale of this song has reached the 150,000-copy mark. Gordon Thompson has the sales agency for the Dominion.

Two ASCAP interpolations, 'Yes, My Darling Daughter' (Jack Lawrence), featured by Gracie Barrie, and Cole Porter's 'Begin the Beguine,' danced to by Mary Raye and Naldi, have crept into the revised 'Crazy With the Heat,' Broadway musical at the 44th St. theatre. Otherwise the basic score is 100% BMI.

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by operators to VARIETY. *Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parenthesis indicate the number of weeks each song has been in the listings and respective publishers.)*

1. Frenesi (6) (Southern)	Artie Shaw	Victor
	Woody Herman	Decca
	Benny Goodman	Columbia
2. I Hear Rhapsody (5) (BMI)	Jimmy Dorsey	Decca
	Charlie Barnet	Bluebird
	Al Donahue	Okeh
	Dinah Shore	Bluebird
3. Last Time I Saw Paris (4) (Chappell)	Kate Smith	Columbia
	Leo Reisman	Victor
	Russ Morgan	Decca
4. Yes, Darling Daughter (5) (Feist)	Dinah Shore	Bluebird
	Glenn Miller	Bluebird
	Johnny Long	Decca
	Andrews Sisters	Decca
5. Nightingale Sang (8) (S-B)	Glenn Miller	Bluebird
	Sammy Kaye	Victor
	Kate Smith	Columbia
	Bing Crosby	Decca
	Jack Leonard	Okeh
6. Santa Fe Trail (4) (Harms)	Sammy Kaye	Victor
	Guy Lombardo	Decca
	Dick Jurgens	Okeh
	Kate Smith	Columbia
	Bing Crosby	Decca
7. I Give My Word (9) (BMI)	Al Kavelin	Okeh
	Eddy Duchin	Columbia
	Jack Leonard	Okeh
8. Stardust (4) (Mills)	Tommy Dorsey	Victor
	Artie Shaw	Victor
9. So You're the One (4) (BMI)	Hal Kemp	Victor
	Eddy Duchin	Columbia
	Dolly Dawn	Okeh
	Dick Robertson	Decca
10. You Walk By (2) (BMI)	Tommy Tucker	Okeh
	Eddy Duchin	Columbia
	Wayne King	Victor

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

One I Love (Forster)	Tommy Dorsey	Victor
	Ella Fitzgerald	Decca
Memory Of a Rose (S-B)	Sammy Kaye	Victor
	Glenn Miller	Bluebird
	Jimmy Dorsey	Decca
Hello Ma, I Done It Again (Robbins)	Bea Wain	Victor
	Ella Fitzgerald	Decca
	Mitchell Ayres	Bluebird
Five O'Clock Whistle (Advance)	Glenn Miller	Bluebird
	Ella Fitzgerald	Decca
Salud Dinero Y Amor (Marks)	Vaughn Monroe	Bluebird
Anvil Chorus (BMI)	Glenn Miller	Bluebird

CRISIS IN SHEET MUSIC

Lambs Salute Gene Buck But The Kidding Is More Truth Than Humor

By ABEL GREEN

The Lambs' Lincoln's Birthday Gambol to Gene Buck Sunday (9), with some 700 turning out, at $7.50 and $10 a head, an over-capacity attendance, set a number of precedents for that organization. For one thing it's the first time any 'collie'—as the honoree is called—played a return engagement, this being Buck's second gambol.

In line with th ASCAP president's present scrap with the broadcasters, it also saw colored songsmiths and professionals within the confines of the club, in itself another precedent, as was the extensive press coverage, including photographers.

The battle between Gene and Jeanie" was the kidding theme of the Gambol, but Buck topped the evening with a nostaglic resume of how the spirit of the club is an integral part of the spirit of Broadway. A great tribute was paid the late Bob Hague, industrialist, whose generosity kept the club alive for a very troublous decade following the 1929 Wall Street debacle.

The laughs weren't many, and

(Continued on page 34)

SNUB TO OLMAN IRKS BERNSTEIN

David Bernstein, Loew-Metro officer, and prez of the Robbins-Feist-Miller Music subsidiaries, is doing a burnup at ASCAP's refusal to permit Abe Olman's attendance at board sessions in the absence of Jack Robbins, currently in Cuba. Board takes the attitutde Olman is not a board member.

Metro-Robbins' attitude is that the present consent parleys vitally concern them and their three major links, but that they aren't privileged to know what's going on within the board room.

TOMMY WHITTAKER NOW WITH STARR

'Tommy' Whittaker, who supervised the assignment of remote band wires at NBC for years, is now secretary to Herman Starr, head of the Warner Bros. music combine of Harms, Witmark, Remick.

She began Monday (10).

SUES GORDON, REVEL

Robert Wyatt Sees His 'Bassinet' in Their 'This May Be the Night'

Mack Gordon, Harry Revel, 20th Century-Fox Film Co. and Leo Feist Publishing Co. have been served in a plagiarism suit brought by Robert Brooker Wyatt.

Wyatt claims that the tune, 'This May Be the Night,' written by Gordon and Revel for 20th's film, 'My Lucky Star,' and published by Feist, infringes on his 'In a Bassinet,' Former was published in 1937, latter in 1935.

Buff Turnout So-So

Despite lure of 30 local outfits annual 'Parade of Bands' benefit of Buffalo musicians' union snared only 3,665 turnstile-passers Tuesday (4).

Shindig opened Memorial Aud doors at 7 p.m. and carried on until following 6 a.m., with bands alternating in 20-minute stretches. All niteries sent their crews, with em-cees donated by radio stations.

Union heads said the amount gained for musicians' sick fund would not be known for several weeks.

Peer to Mexico

Hollywood, Feb. 11.

Hollywood offices have been opened by Ralph Peer, head of Southern Music and Peer International, with Nate Fryer installed as manager.

Peer has left for Mexico to acquire new tunes for his Broadcast Music catalog.

Par, N.Y., Prevents Date At Fiesta Danceteria For Benny Goodman

Paramount theatre, New York, invoked its 30-mile-six month protection clause last week and cancelled a date for the Benny Goodman band at the Fiesta Danceteria, N.Y. It was supposed to have been played past Sunday (9), but because Paramount has Goodman booked for a shot at the Par sometime in April the date was pulled out. Fiesta had its advertising ready for display when the nix was put on.

Par's protection clause extends to both before and after a stand at the theatre, but it's rarely invoked to prevent a band playing within 30 miles of New York after a date at the house. In this case it was figured the band's appearance at the Fiesta, which is only half a block from the theatre, would hurt inasmuch as Goodman's new band hasn't yet played on Broadway.

SID LORRAINE LEAVES DREYFUS FOR BMI PUB

Sid Lorraine's shift to Southern Music, as general manager of Ralph Peer's firm (BMI), after having been at Crawford Music, is part of the general retrenchment that is seemingly panicking the ASCAP music business. With the Washington huddles pointing to a possible consent decree, and thus put matters on a more even keel, the panic is abating, a bit, but it's no secret that the rank-and-file publishers and songwriters are plenty worried.

So is ASCAP, as an organization. The new Ways and Means committee, which has become very dominant in the Society's financial structure, has ordained a cutting of overhead where possible.

The music jobbers, who are the sparkplug of the business, have added to the economic worry by reporting they'll have to create a moratorium since they're not selling any music—BMI or otherwise.

With new song publishing at a standstill, for fear of wasting good material, a number of the major music firms ruled two-week vacations (with pay) for their professional staffs now, rather than in the summer, when it is hoped everybody will be pitching in to make up for the stalemated period. It's hoped that another month will see a better picture of Tin Pan Alley matters, so many of the music men are going to take their worrying into the Florida or ski-country belt.

Meantime Max Dreyfus pulled in his horns completely on his Crawford Music and T. B. Harms subsidiary setups, thus releasing Lorraine for the Southern job. But Louis Bernstein, head of Shapiro-Bernstein, decided to return to Florida on a second winter vacation, and Jonie Taps, his general professional manager, is also going on a holiday along with his staff, as are some of the other major firms' personnel.

Shapiro, Bernstein & Co. has acquired the copyright renewal on '12th Street Rag,' by Euday L. Bowman. Renewal becomes effective next January. Jenkins Music Co. is the tune's current publisher.

BMI HITS TAPER OFF WITH ASCAP

Whole Music Jobbing Picture Completely Altered—Drastic Measures Necessary, Wholesalers Tell Publishers — First BMI Crop Harvested, Next One Uncertain

TOBOGGANING

Even the sales on BMI sheet music took a big tumble last week. Overturn on the current product of ASCAP publishers was negligible. The music jobbers had been figuring that the bottom would fall out of the current pop business around Feb. 15, but, as it happened, they were a week off in their prediction. The bottom fell out a week sooner.

As the jobbers see the immediate outlook of BMI sheet music business, the BMI current crop of hits has already run its course and there doesn't seem to be anything among the newer tunes that indicates strong possibilities. One of the jobbers last week said that he would wait another week or two before moving to cut down his operating overhead drastically.

ASCAP's Own Plans

Another jobber urged that the ASCAP publishers change their present tack and go after the exploitation of new tunes aggressively by making transcriptions and paying for their airing on stations with ASCAP licenses. Such undertaking, he said, would have to be on a collective basis. The transcriptions would contain straight advertising matter, such as urging listeners to buy copies of the tunes heard at their local dealers, and the discs, each running five minutes, could be so spotted on a station's schedule as to give the participating publishers an equal break on the plugs, in both performance and sales patter.

The ASCAP faction of the music business, stated this jobber, is faced with a serious emergency, and this condition demands a radical change in exploitation methods. For years some of the more enterprising publishers have talked about using radio as a means of actually merchandising sheet music, but they have never been able to arouse the industry into collective action in that direction. The present situation, argues this jobber, provides an expedient as well as necessary entrance into such an experiment.

ASCAP-Financed War on Bootleggers Protects BMI Copyright Infringements

Ironical sidelight on the current ASCAP-radio war is the fact that the piracy of BMI songs is being policed by a staff which is wholly subsidized by ASCAP publishers. This refers to the investigating bureau in the Music Publishers Protective Association which is devoted to stamping out the bootleg songsheet evil. These songsheets currently contain almost as many BMI tunes as ASCAP songs.

Arthur Hoffman, head of the MPPA's Investigating service, last week was instrumental in causing the arrest of Phil Resnikoff, described as the leading distributor of contraband songsheets in the Times Square area, and in confiscating several thousand of these sheets. Resnikoff, who is a second offender, admitted, according to the Federal authorities, that his peddlers sold over 1,000 songsheets a week around Times Square. The last time he was arrested Resnikoff got a jail sentence of 30 days. He is now out on $500 bail.

A Song for Rosenberg

Boston, Feb. 11.

'Catching the 802 Local' is the title of an instrumental number written by Johnny Messner, Paul (Professor Koleslaw) Kuhlthau, and Jack Diamant, dedicated to prexy Jack Rosenberg of the New York musicians union.

BMI is publishing it.

Union Resists Reduction Of Summer Symphony From 90 to 80 Players

Philadelphia, Feb. 11.

Cancellation of the Robin Hood Dell summer concerts is being threatened by a dispute between the Dell management and Local 77, American Federation of Musicians, over the number of men to be used in the orchestra. C. David Hocker, manager of Robin Hood Dell Concerts, Inc., said the management wants to reduce the size of the band from 90 to 80 in order to cut down on the deficit usually incurred during the summer season in the al fresco concerts in Fairmont Park.

Said Hocker: 'The change in the size of the orchestra was one of the several economies conceived by the Dell management to bring this year's deficit within the $22,000 maximum that can be raised to cover it. (The Dell conducts a campaign among music lovers to raise dough to cut down the yearly deficit).

Last summer bad weather necessitated the curtailment of the season and the Dell incurred a loss of $10,000. The reduction in size of the orchestra would save about $5,000, Hocker said. The Dell band usually has about 70 men from the Philadelphia Orchestra with the rest made up of members of other symphonic groups. The musicians get a minimum of $60 a week.

At a meeting Friday between Dell officials and officers of Local 77, the Dell's proposal to reduce the orchestra was rejected. Another meeting is skedded next week.

Name Bands Once Monthly At Fairmont's Armory

Fairmont, W. Va. Feb. 11.

Sol Burka and Henry Merryman, Jr., of Clarksburg, have leased the Fairmont Armory and will make improvements before opening with Benny Goodman's orchestra Feb. 20. They plan to offer name bands once a month.

Burke formerly managed the Blue Ridge theatre here—vaudeville.

GOLF CLUBS RATED 'A' BY UNION

Chicago, Feb. 11.

Indicating the growing importance of the golf club as a nite spot is the new ruling by the Chicago Federation of Musicians making single engagements at golf and country clubs Class A engagements.

This ruling goes into effect on April 15, and all such dates booked must be in accordance with the price-list, hours and other conditions governing Class A dates.

British Relief Concert In Frank Dailey Cafe With Tom Dorsey Orch

The British War Relief Society, Frank Dailey and Tommy Dorsey's orchestra are cooperating on a three hour 5and concert to be played Sunday (16) at Dailey's Meadowbrook, Cedar Grove, N. J. Proceeds will go to purchase either an ambulance or canteen (field kitchen), depending on how much cash is taken in. Admission of a $1 has been set. With large dance floor covered with seats it's possible to cram 3,000-3,500 into Meadowbrook.

All leaders, singers and outstanding instrumentalists in the New York area are expected to show up. Concert is being exploited in northern New Jersey by the BRS itself which has an ambulance circulating through that territory advertising the date. WOR, New York, will broadcast locally.

New Anti-ASCAP Bill

Minneapolis, Feb. 11.

Aimed at ASCAP, a bill has been introduced into the Minnesota state legislature prohibiting copyright owners from combining in any manner to issue licenses for the public performances for profit of their compositions.

The bill also would tax gross receipts of all sales and require registration of performance rights and schedule of license prices with the secretary of state.

Fred Strom, Northwest Allied executive secretary, says the measure will have the support of his independent exhibitors' organization.

Eat Their BMI and Have Their ASCAP

Bandleaders Working Out Copyright System to Keep 'Going Until Peace'

More name band leaders have organized their own copyright reservoirs so that their compositions can be played on the air without the necessity of assigning the rights to Broadcast Music, Inc. By establishing their own catalogs the leaders are able to get all the profits from numbers they develop, and, as may happen in the case of several of them, they will be in a position to assign such copyrights to the catalogs they have already affiliated with ASCAP, after peace has been made between the latter organization and the networks.

In retaining the copyright and all rights deriving from it the leaders figure they will be able to collect all royalties collectible from phonograph records, sheet music and stock arrangements and transcriptions. As for performing rights they can still get 2c per performance from BMI. Under the BMI performing payoff 1c goes to the publisher and another 1c to the writers.

The band leaders and their catalogs which are not affiliated with ASCAP follow:

Guy Lombardo, London Music Co.
Tommy Dorsey, Embassy Music Co.
Glenn Miller, Mutual Music Society.
Sammy Kaye, Republic Music Co.
Benny Goodman, Regent Music Co.
Larry Clinton and Jimmie Lunceford have made deal with BMI which grants all exploitation privileges to BMI. Lombardo and Dorsey also have publishing firms which are affiliated with ASCAP. Dorsey's is the Sun Music Co., and Lombardo's, Olman Music Corp.

Band Grosses on One-Nighters

Bill Bardo (Maryland theatre, Cumberland, Md., Feb. 3-4). Bardo hit fair 1,389 admissions at prices graduating 15c-35c mats and evenings to ring up $373 gross.

Bob Chester (Mechanics Hall, Worcester, Mass., Feb. 6). Chester piled up neat $780 with 1,230 admissions at 65c.

Tommy Dorsey (Syracuse U., Feb. 3). Dorsey sold out Senior hop with attendance of 1,160 campus caperers, grossing $2,750.

Eddy Dunsmoor (Peony Terrace, Omaha, Feb. 8-9). Dunsmoor did fancy 600 couples despite competition of Sonja Henie ice revue. Two days gave him gross of near $600 at 45c plus tax.

Sammy Kaye (Ritz B., Bridgeport, Conn., Feb. 5). Kaye hit fair 1,282 here at 88c.

John Kirby-Maxine Sullivan (Trianon B., Cleveland, Feb. 9). Kirby's sepia swingsters and rhythm singer Sullivan did so well on their first visit here Feb. 2, drawing 2,300 customers at 75c top, that manager Charlie Horvath brought them back (9). They grabbed another 1,900 at same prices second time around.

Ted Lewis (Municipal Aud., Kansas City, Feb. 4). Lewis and floor show played here to approximately 8,000 people about 5,000 of whom dug up 75c apiece. Rest were in on Oakleys handed out by K. C. Apparel Assoc. Gross of $4,000 considered good.

Jimmie Lunceford (Dixieland, Lexington, Ky., Feb. 5). At 90c top Lunceford packed in approximately 500 for colored hop.

Johnny McGee-Teddy Powell (Union Club, Hoboken, N. J., Jan. 31). McGee and Powell alternated on stand and together culled little over 500 hoppers at church affair which got gross of around $950. Poor.

Ozzie Nelson-Johnny Messner (Raymor-Playmor B., Boston, Mass., Feb. 7). In twin danceries Nelson and Messner pulled good $1,192 with 1,986 patrons at 55c ladies, 65c gents. Rainstorm hurt. Messner played Raymor alone three days (4-6) and got fine $1,653 with 2,755 stub holders at same prices. Coupled to local George Harris band Saturday (5) Messner rang up neat $1,422 with 2,370 dancers; same prices.

Spain's Decadent Show Biz

Continued from page 1

the world, yet the batting average is pretty thin.

Spain doesn't possess a single film director of international stature. Cutting is very ragged. Photography on the whole is average. Some of the scenarios are fairly good, but the results are pathetic.

Spain possesses a score of actors that are quite good, but plenty of potential actors will never get far because the directors don't know how to bring out their talent. Since there are no Frank Capras here, all this budding promise goes to naught.

In my last week there I saw three Spanish picts, and all three were bad, very bad. One was amateurish; the other so improbable and so badly cut that it was a complete waste, while the third, a musical revue, was a reminder of Hollywood's first attempts in this direction.

Quota Cheaters

Of course, another reason for the low state of affairs in this industry are the producers themselves. Many produce and export films simply to enable them to get importing licenses for Yankee films. Consequently they do the job as cheaply and as quickly as they can. They write the films off as total losses and make up the difference within the first week that the Yank pic is released. They more than clear costs in the provinces and even show a profit by showing it in provincial showcases in Latin-America.

Spain is still talking about 'capturing' the South American market. How in the world they expect to do this on their present turnout is simply beyond comprehension. Argentina and Mexico produce superior quality films. Films of both countries have been shown in Madrid in recent months, and both countries may rightfully claim that their pix outdrew Spanish films in Madrid.

Same Old Nazi Pressure

The Germans beginning to pressure the Spanish producers. As in Italy, now in Spain. They want all the Jews out. This is very amusing, since there are few Jews in the industry. It appears that Ulargui Films has a cutter of Jewish blood. The Germans have been hounding Ulargui to get rid of him. The latter is fighting to keep its cutter, since he has been with the firm many years and is about the best in Spain. The Germans will probably win out, because 'cultural and artistic relations' between the two totalitarian countries must be maintained. Also Ulargui's films will be banned in Germany, although I can't understand why any German would want to see a Spanish film.

The theatre is pretty dull. The plays usually run from two to four weeks and then go on the road with the same company. Unlike the French theatre where the same group of actors are not seen in succeeding plays, here in Madrid you will see the same companies season in and season out. You can very well understand the drawbacks of this system.

The main actor, who usually runs the company, is usually the only one with talent. Sometimes the leading lady is his girl friend, and she may or may not be so hot. The rest are just fill-in. The staging is bad and not much money invested.

Subject matter for plays and picts are held down pretty much. There is the influence of the Catholic church which is tremendous and then, like all the totalitarian countries, Spain has been hit by a wave of puritanism. As in Italy, Germany and now France, since her defeat, there must be nothing to shock public morals. Everything must be lily-pure so that the eight-year-old can take it in without a whimper. Wherever you see a demogogic campaign in full swing you can rest assured that the theatre cinema, night life and magazines are pretty dull.

Vaudeville and Night Life

Vaudeville, revues and light music are about zero. The night clubs are not outstanding but help to fill in a dull evening. The talent in Spain is mostly directed towards dancing and singing of the Andalusian variety. It's all pretty much along the same lines but sometimes is first rate and worth exporting to the big theatres in the States. I think that there is some worthwhile acting, dancing and singing talent for Broadway, or for the Spanish productions of Hollywood.

Curfew Gripes

The Spanish people have been ripping about the new closing hours. At 1 a.m. all the hot spots, bars and cafes must shutter. Cinemas and theatres shutter at midnight. Food shouldn't be served in restaurants after 2:30 p.m. (lunch) and 9:30 p.m. (dinner). The most gripping comes from theatre and cinema owners who complain that they have been losing money ever since the new law went into effect. Although many fines have been handed out to restaurants, you can get food at any hour as long as you are known, and many times even if you are not known.

Food

The people in Spain are miserable. The food problem is becoming very precarious. Bread rationing is worse than ever. The people are divided into three categories; the monied class get three ounces per person per day; the middle class, four ounces; and the working class six ounces. It's black, hard bread that you wouldn't look at in the States.

Olive oil is unobtainable in Spain, the country which produces more than any other. Coffee and sugar are severely rationed, the first mixed with barley so that it tastes worse than castor oil.

Eggs can be had again, but only few of them. Many things can be bought from food bootleggers called 'straperlos' but the prices you have to pay are quite fancy. Eggs, 14 pesetas a dozen or $1.32. A three-pound bread cost a friend of mine 10 pesetas, or 80c. Meat is of poor quality.

$1.25 for a Martini

Cigarets are rationed to two packages a week for men only, so that a large bootlegging biz flourishes. Planters brand—the nearest approach to American cigarets—cost about 65c for them. Chesterfields or Luckies about $1 a package. Whiskey comes to about $1 a shot, and between $10 and $12 a bottle. Gin comes to the same price per bottle and a Martini cocktail to about $1.25. These drinking prices are not bootleg but legitimate bar prices.

Transportation facilities are pretty bad. Due to storms we were without heat in the last week in Madrid. Trains were blocked and coal was lacking in Madrid. Even without storms, there was always a shortage of coal, wheat and other things. The wrecks of late have increased, some attributing them to sabotage.

The situation in the provinces is even worse. There appears to have been some rioting in Asturlas and other spots in Spain. It's impossible to have a decent meal outside of the capital.

The rule in Madrid generally is, that if you have money you can get anything. Tourists or travelers coming through Madrid for one or two days might go away, and understandably so, with the impression that things are not so bad. They have money and can eat in the best restaurants where rationing is not so severe. They can get meat when they shouldn't get it, any number of dishes when they ought to get one, all the bread they care to eat. Beggars are kept away from the Hotel Ritz.

Pushover for the Nazis?

Yet the poverty is appalling and the begging on the increase. Some say that if the Germans went in the people wouldn't resist since the present government hasn't made good on any of its promises. Talking empire is all right when you are well-fed, but it's another business when you are starving.

Probabilities of the Germans going in seem to be considerably reduced in recent weeks. A small army would be ineffectual and a large one would starve unless it brought in its own food. Whether they went in or not may be decided by matters occurring outside of Spain. Italy's showing in North Africa may have some effect on Germany's decision to go into Spain.

Lambs' Salute

Continued from page 32

chiefly kidding-on-the-square, but the merits of the components were above par. George M. Cohan revived an excerpt from his 'Song and Dance Man,' appearing therein. Buck's own sketch. 'The Unknown Soldier,' from a yesteryear Gambol, was revived. 'Somewhere in London,' by John Ravold and Hugh Cameron, capably staged by John Hayden, was in line with the rostrum presence of Quentin Reynolds. He, along with ex-Governor Hoffman, Jimmy Walker, Irving Berlin, prexy Fred Waring, Roy Howard, Eugene Meyer, Joe Tumulty, Igor Sikorsky, William Caxton, Sigmund Romberg and Harry Hershfield were on the dais. Buck introduced Berlin as 'America's greatest living songwriter.'

Bobby Clark's classic burlesque on 'The Shooting of Dan McGrew' was another comedy highlight, and a prophetic meeting in heaven of ASCAP and NBC, as part of 'Who Has Stolen My Songs?' sketch, finaled. John McManus and Arnold Johnson maestroed the evening.

Little Jack Little band does four weeks at the Edgewater Beach hotel, Chicago, beginning Feb. 21.

Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels. Dinner business (7-10 P.M.) not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Weeks Played	Covers Past Week	Total Covers On Date
Orrin Tucker	Biltmore (300; $1-$1.50)	5	675	3,150
Leighton Noble	Waldorf (375; $1-$1.50)	4	1,175	5,000
Lani McIntire*	Lexington (300; 75c-$1.50)	4	1,225	5,825
Guy Lombardo	Roosevelt (500; $1-$1.50)	18	11,150	23,850
Woody Herman*	New Yorker (400; 75c-$1.50)	7	1,325	12,750
Jimmy Dorsey	Pennsylvania (500; 75c-$1.50)	3	2,025	6,750
Tony Pastor	Lincoln (325; 75c-$1.50)	19	600	8,350

** Asterisks indicate a supporting floor show, although the band is the major draw.*

On the Upbeat

Blue Barron did one-nighter for Will Wittig in the Pie-Mor, Kansas City. Wittig has signed Jimmie Lunceford for a date March 15 and Jan Savitt for a Feb. 16 one-nighter.

Four Esquires last week replaced Don Decker band at the Cave, Omaha.

Ozzie Nelson, preparing to leave New York to play Raymor Ballroom, Boston, (7) and Fort Devens, Ayer, Mass., for Lucky Strike 'Hit Parade' pickup (8), was informed that his trombonist, George Streckbein, was being drafted into army, necessitating replacement with Ray Heath, ex-Teddy Powell.

Jack Valentine band plays Greek war relief ball tomorrow (12) in Hotel Statler, Buffalo.

Tommy Flynn orch has moved back into Chez Ami, Buffalo, with Billy Fitzgerald band taking over his Dellwood Ballroom stand.

Tone Carnevale has formed new combo which opens Feb. 16 in Park Lane, Buffalo.

Vincent Lopez booked Feb. 21 and Johnny Long Feb. 28 in Hotel Statler, Buffalo, on one-nighters.

Johnny Long drummer, Wally Gordon, called for draft. His place temporarily taken by Hal Berman. Long is playing his first theatre date this week at the Flatbush theatre, Brooklyn.

Benny Carter band holds over at Nick's, New York, until March 1.

Will Bradley and Ray McKinley, sans their band, will be with Alec Templeton on the latter's Alka-Seltzer show Feb. 26.

Bob Crosby orchestre into Panther Room (College Inn) of the Hotel Sherman on April 3 for a six-week stay. Last in Chi at the Blackhawk.

Tommy Dorsey plays the Hipp, Balto., week of March 7 on a contract that is now a year old. He's in on a guarantee against 50% of the gross from the first dollar.

Sy Mannes, formerly with Harms Music, is now personal manager of the Charlie Spivak band.

Ben Bernie's first booking in the east since returning from Victor Hugo's, Los Angeles, will be at the RKO-Boston theatre, Feb. 20-23.

Alvino Rey band signed to Bluebird records for one year. Four sides recently released were test records. Rey, incidentally, gets a shot at the Fitch Bandwagon radio show Feb. 27.

Paul Specht no longer personal managing the Russ Morgan band.

Ted Alabaster taking over road manager job with Bob Chester. He formerly handled same chores with Buddy Rogers.

Ted Lewis set to start four weeks Feb. 18 at Bal Tabarin, San Francisco.

Bill Challis, arranger, now working with Bobby Byrne. Dean Kincaid writing arrangements for Mitchell Ayres.

Larry Clinton has recorded his new theme, 'Isn't It Time to Love' for Bluebird.

Ruby Newman returns to the Rainbow Room, New York City, about April 1.

Band Bookings

Charles Baum, Feb. 22, Aud, Bowling Green, Ohio.

Count Basie, Feb. 23, County Center, White Plains, N. Y.; 25; Lincoln Colonnade, Washington, D. C.; 26, Coliseum B., Cleveland; March 21, Club Rouge, Baton Rouge, La.; 22, Blue Moon Club, Bunkie, La.; April 1-6, Tunetown B., St. Louis, Mo.

Henry Busse, March 17, Highland Park Casino, Quincy, Ill.; 19, Venetian theatre, Racine, Wis.; 20-21, Capitol theatre, Madison, Wis.; 22, Bay theatre, Green Bay, Wis.; 23, Paramount theatre, Hammond, Ill.

Duke Ellington, Feb. 23-24, Sweet's B., Oakland, Cal.; 28, Napa Pavilion, Napa, Cal.; March 1, Sweet's B., Sacramento.

Will Bradley, March 18, Mitton Hall, Philadelphia.

Earl Hines, Feb. 16, Savoy B., New York; 18, Metropolitan theatre, Morgantown, W. Va.; 19, Basle theatre, Washington, Pa.; April 7, Trianon B., Cleveland; 18, week, Apollo theatre, New York.

Leonard Keller, Feb. 22, Eagle B., Sheboygan, Wis.

Enoch Light, Feb. 16, Lucas theatre, Savannah, Ga.; March 1, Eastman School of Music, Rochester, N. Y.

Little Jack Little, Feb. 21, four weeks, Edgewater Beach hotel, Chicago.

Teddy Wilson, Feb. 21, indef., Ambassador hotel, Chicago.

Jimmie Lunceford, Feb. 28, Royal Palm Garden, Gadsen, Ala.; March 2, Harvest Club, Beaumont, Tex.; 3, Cotton Club, Port Arthur, Tex.; 4, Cooper Club, Henderson, Tex.; 5, Murphy's Club, Alexandria, La.; 6, Pilgrim Aud., Houston, Tex.; 7, U. of Texas, Austin; 8, Women's Federated Bldg., Austin; 10, Library Aud., San Antonio; 11, Cotton Club, Austin; 12, Lakeside Park, Wichita Falls, Tex.; 13, Aud., Joplin, Mo.; 14, Castle B., St. Louis; 15, Pla-Mor B., Kansas City; 17, Aud., Kansas City; 20, Eagles Hall, Minneapolis; 21, Paris B., Milwaukee; 22, Savoy B., Chicago; 24, Lincoln Colonnade, Washington, D. C.; 25, Strand B., Baltimore.

Ray Kinney, March 14, Lyric theatre, Indianapolis, Ind.

Ralph Barlow, Feb. 13, four weeks, Madura's Danceland, Whiting, Ind.

Bill Bardo, Feb. 14-15, Totem Pole B., Auburndale, Miss.

Eddie Delange Feb. 15, Elmira College, Elmira, N. Y.; 22, Marymount Ballroom, Gary, Ind.

Johnny Long, Feb. 21, Hotel Philadelphia, Philadelphia; 22, Stambow Aud., Youngstown, O.; 28, Temple U., Philadelphia; 26, Empire B., Allentown, Pa.

Johnny McGee, Feb. 14, Massachusetts State C., Amherst; 15, Palace theatre, Stamford, Conn.; 21-22, Totem Pole Ballroom, Auburndale, Mass.

Joe Venuti, Feb. 21, week, Riverside theatre, Milwaukee.

Del Brissette, Feb. 12, British War Relief Ball, Town Hall, Warren, Mass.; 19, party, Hotel Bancroft, Worcester, Mass.; 21, party, Norwood Junior High School, Norwood, Mass.

Johnny Messner, Feb. 12-16, five days, Edgewood Club, Albany, N. Y.; 17, Scranton, Pa.; Allentown, Pa.; 21, University of Vermont, Burlington, Vt.; 22, Syracuse hotel, Syracuse, N. Y., four weeks; March 25, Hotel McAlpin, indefinite engagement.

Bill Bardo, Feb. 18-22, five days, Raymor Ballroom, Boston.

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Standard Contract Form For Band Bookings Written by A.F.M.

Band booking business will be operating soon under a standard form of contract devised by the American Federation of Musicians. The form was adopted by the International's executive board at its meeting in Miami and copies of it will be distributed among band bookers in a few weeks. It will be the first time that the dance band business has used a contract form prepared by a union. Local 802, New York, sought to introduce such a form early last year, but it withdrew the forms it had sent out to bookers a week later, apparently at the suggestion of the International.

Appeal from the charges which Abe Lyman brought against Billy Rose last summer was turned over by the executive board to James Petrillo, AFM prez, with request that he try to adjust it himself. Dispute was over a run-of-the-show agreement which Lyman had the Barbary Coast concession at the N. Y. World's Fair. Local 802 ruled in the bandman's favor, awarding him around $10,000.

Board also voted to donate a fully equipped ambulance to Britain and to send to the American Artists Association of London a fund with which to buy an ambulance trailer.

HIDES NEW MAN

Al Donahue Ships Sax Man to South America for Protection

Major baseball teams sometimes hide promising talent from opposition clubs by placing it temporarily with minor league affiliates. It seems competition for outstanding musicians calls for the same procedure by some leaders who are wary of the 'raiding' tendencies of others. Anyway while rebuilding his band Al Donahue auditioned what he considered a find among tenor sax men. Not being ready to put the new band into rehearsal and to be sure no one would be able to tamper with the player, Donahue gave him a job in a band on a 39-day cruise boat to South America, which got back into New York the day the reformed Donahue bunch started rehearsing. Player is Pres Hudson and he's now under contract. Donahue services cruise boats with bands.

Donahue's new outfit retains only two of its former men and is set to unveil at Frank Dailey's Meadowbrook, Cedar Grove, N. J., Feb. 18. Two remaining are Jack Donahue, sax, leader's brother, and Mickey Iannoe, trombone. New men are Bill Haley, piano; Jimmy Felton, drums; Tony Carlson, bass, brother of Frankie Carlson; Woody Herman, drummer; Bart Barsona, Don Cavanaugh, trombones; Al Anthony, Danny Ippolito, saxes; Tucky Marcantonio, Hank Meddelena, Pete Costellano, trumpets.

TOMMY DORSEY TO NEV. FOR 'LAS VEGAS' PREEM

Contingent upon the fulfillment of tentative plans to give 'Las Vegas Nights' a special world premiere at Las Vegas, Nev., late in March, arrangements have been made with Tommy Dorsey by Paramount under which he would fly out to play for the preem.

Dorsey, now at the Meadowbrook Country club, Cedar Grove, N. J., is willing to fly his band out, using two planes, and has so informed William LeBaron at the Par studio from which all negotiations and premiere plans have emanated. Understood that Par would pay all expenses, Dorsey otherwise appearing for free. He and his band are in the film.

Red Norvo Breaks Up After Canadian Trip

Red Norvo has broken up his latest band and may reorganize at a later date with a combo still smaller than the 10-piece group he had been leading. Latter outfit was about a year or so old and was formed after the leader's split with Mildred Bailey. Latest breakup came after the band returned from a week of concert dates through Nova Scotia.

Meantime Norvo may play with Benny Goodman's new band. He was on Goodman's first broadcast for Old Gold Monday (10). His xylophone tapping could take the place of Lionel Hampton's, who left Goodman to build a band of his own.

John Leopold and Irvin Talbot started work on the musical scoring of Harry Sherman's western, 'Border Vigilantes,' at Paramount.

LARGE CLAIM AGAINST DECCA RECORDING CO.

Ollie Shepard, known as Ollie Sheppard, filed suit Friday (7) in N. Y. supreme court against Decca Records, Inc., Jack Kapp, J. Mayo Williams, State Street Music Publishing Co., Chicago Music Co., and Record Artists Music Co., seeking damages for alleged conspiracy and breach of contract. Kapp and Williams are officers of Decca, and the other defendants are subsidiaries.

Williams, who is colored, is employed by Decca to gather talent, and, according to plaintiff, 'does so by misrepresentation with the approval of Decca.' Plaintiff claims he signed a contract with Decca, through Williams, in November, 1937, and was to receive 25% of the sale price of records and sheet music, and was told that a minimum of records would be released yearly. He claims he made 50 songs with his band and Decca sold over 500,000 records at 35c each, but he has not been paid anything in the way of royalties or outright commission, and Decca has no means of selling or exploiting sheet music. An accounting of profits, court approval to breaking the contract and damages are sought.

Ran Wilde replacing Arturo and Caballeros at Paxton hotel, Omaha.

They Don't Play Maybe

Miami, Feb. 11.

Murray Baker, general prof. mgr. for Robbins Music, making the rounds of the local niteries, fell into a crummy strip-tease trap, of which there are many hereabouts, where the 'band' comprised three beat-up musikers. Baker solicited them for plugs, and was floored when the maestro of the No Style Trio retorted:

'Sorry, but we don't play stocks.'

Thief, in Runaway Car, Crashes Into Dancers Outside Meadowbrook

Two young girls were killed and two youths injured early Sunday (9) morning when they were hit by a stolen car being driven by a Newark, N. J., thief past Frank Dailey's Meadowbrook, Cedar Grove, N. J. Four were in party of 10 leaving the spot and crossing Route 23 to get into parked cars. Speeding car was being chased by a cop and after hitting the four crashed into a parked auto. Its driver escaped, but was nabbed later when he returned to the scene of the accident in a taxicab.

In order to keep crowd of dancers who were at Meadowbrook that night, inside and away from the accident and bodies, Tommy Dorsey's band remained on the bandstand and kept playing until 3:30 a. m. Two boys were taken to a nearby hospital. With the girls; they were from New York city.

Asleep at the Wheel

Jimmy Van Heusen, songwriter, and Juggy Gayles, contact man for Berlin Music, woke up with a bang in Manlius, N. Y., early Saturday (8) morning to find that Gayles had driven Van Heusen's car into a marble statue in the village square. Neither was hurt, but the car was badly damaged.

Pair were on their way to Syracuse, Van Heusen's home.

Wayne King's Hotel Spot

Chicago, Feb. 11.

Wayne King orchestra will double from ether to nitery starting March 27 when the band goes into the Marine Room of the Edgewater Beach hotel.

King orchestra, just finishing up on Columbia for Colgate's, shifts in two weeks to sponsorship by Armour's Luxor product over Columbia on Saturdays at 7:30 p.m.

LUNA'S NAME BANDS

John N. Greenhut, razorblade fortune heir and quondam talent agent, will take over management of the Luna Park Ballroom, Coney Island, this season.

Ballroom, largest of its kind in the east will be completely redecorated, opening Easter Sunday, April 13, with a name band policy. It will open officially for the season on Decoration Day weekend.

Double-Header One-Nighter Gives Kyser Record $8,065.80 as His Share

ARTIE SHAW'S RECORDS

Sets Deal for Continuance With Victor on 50c Labels

In New York for five weeks of broadcasting with the Burns and Allen-Hormel radio show, first airing of which was done Monday (10), Artie Shaw signed a new recording contract with Victor Records. New contract is for two years and takes effect when his old one expires in the near future. It calls for practically the same terms.

Shaw's old contract, written while his stuff was being released on the 35c Bluebird label, whereas he's now on the 50c Victor, called for a guarantee of $1,000 a side for 50 sides a year, against a royalty of 8% of the gross from sales. New one is the same except for the already mentioned difference in the guarantee. When Shaw was cutting for Bluebird his band was the jump crew he walked out on. He now uses 22 or 23 men, including a string section.

Shaw goes back to the Coast after he finishes the five it shots with B & A. He is already working on the music for a new picture for which contracts have not yet been signed. It's not to be made for Paramount, for whom he was cast in the current 'Second Chorus.'

Leader will not play with the National Symphony Orchestra at Washington, D. C., a date which had been scheduled for March 23. It was cancelled because of his return to the Coast.

Men who came east with Shaw to form the nucleus of the band he is using on the radio commercial are: Billy Butterfield, trumpet; Les Robinson, alto sax; Nick Fatool, drums; Johnny Guarnieri, piano; Ray Conniff, trombone, and Jack Jenney, trombone. Jerry Jerome and Clarence Daffey, saxes, also came in with him, but were coming to New York anyway. They may or may not return west with him.

Beside the theatre dates Shaw cancelled in the east he had one one-nighter scheduled. It was played last night (Tuesday) at Garden City, L. I., by Benny Goodman's new outfit.

GLASER CONTINUES AS LES BROWN'S MANAGER

Les Brown's band stays under the personal management of Joe Glaser. Talk last week between Glaser and Tom Rockwell, head of General Amusement Corp. ended all ideas of any interested parties from the Rockwell side of the fence buying Brown's contract. However, the band may later return to GAC for bookings.

For the present Glaser will continue to book it. He has placed it for a term at Mike Todd's new theatre-cafe in Chicago. Band opens either Feb. 21 or 28.

Duke Ellington's next Victor release will use a tune composed by his son, Mercer. It's a ballad titled, 'The Girl In My Dream Tries to Look Like You.'

Kay Kyser played a one-nighter in Louisville, Ky., Jan. 31 which paid him perhaps the highest net salary ever paid a band for a single night's work in the history of the band biz. Kyser's end of an evening's work at the Louisville Armory amounted to $8,065.80. He was in on a $2,500 guarantee against 60% of the gate. Latter amounted to $13,443.

Date was a dual , however, promoted by the Louisville Courier Journal. Band played for a show which drew 7,672 customers at $1 a head, then after the chairs were cleared away admissions were sold to a dance. Hop drew 5,410 at $1. Another 361 people paid an extra buck, once inside, for the privilege of sitting at tables.

Kyser is now on the Coast preparing to start work on his third RKO film.

Chicago, Feb. 11.

Kay Kyser, returning to town after a long absence, played the northside William Karzas Aragon ballroom last week, and cracked all records for a one-night stand in this mammoth room. Drew 10,005 paid customers. Prices were $1.25 for men and 99c for women.

Aiding and abetting was Dick Jurgens and his orchestra, current in the Aragon.

TEDDY JOYCE, 36, DIES OF SPINAL AILMENT

London, Feb. 11.

Teddy Joyce, 36, Canadian bandleader who came here from Hollywood eight years ago, collapsed in a Glasgow hotel Feb. 6 and died early Monday (10) from spinal fever. He was one of the earlier American emcees to click here. His real name was Edmund John Cuthbertson.

Joyce, Canadian-born, was trained as a concert violinist but was forced to quit when an auto accident injured two fingers. So he became a dancer and, after performing in the U. S. went to England where he became one of the highest-paid jazz band maestroes.

Wm. Morris Staff's Travels Flu-Affected

Ed Fishman isn't going to the Coast for the William Morris Agency for another 10 days or so, stalled partially by a mild attack of flu and also the indisposition of Willard Alexander, in charge of bands in New York. Latter is currently holidaying in Miami, and when Alexander returns Fishman shifts to the Coast.

Another William Morrisite convalescing in Florida is Donald Hyde, son of Johnny, v.p. of the Morris agency, who just got over a bad case of lobar pneumonia.

Abe Lastfogel, general manager of William Morris, Inc., will remain east another month.

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Night Club Reviews

RAINBOW ROOM, N. Y.

Keith Clark, Cappella & Beatrice, Rolly Rolls, Ben Cutler Orch (12) featuring Virginia Hays, Dr. Sydney Ross; $2.50 minimum dinner, $1 and $2 cover (Saturday) after 10 p.m.

This is one of the best lineups yet which managing director John Roy and his aide, Ed Seay, have lined up for the topflight Rockefeller nitery. Whether by intent or accident, it's almost a 100% Frenchy-type, or so-called 'continental' divertissement, with the exception of former Yale halfback Ben Cutler, maestroing his band on another return, and his pianist-vocalist, Virginia Hays, a personable brunet who does pianologs in between vocalizing with the band.

Otherwise Keith Clark, despite his Anglo-Saxon name, is of French vintage, a very facile legerdemain specialist whose prestidigitation is showmanly blended with deft comedy touches. For instances, his shifting kerchief routine, a colorful assortment of cloths, is parred by constantly switching his bow-tie colors, done unobtrusively and with proper 'surprise' touches. His cigaret-pack and card tricks are also out of the ordinary. Only thing routine is his opener, with the Cardini-like business of marathon lighted cigarets, but here, too, Clark does it with distinction.

Featured dance pair, Cappella and Beatrice, are above par ballroomologists both having been around for some time. She's well built with loads of s.a. but the lithe Cappella handles her with consummate ease, even in those Mary Raye and Naldi-like fulcrum lifts and holds. One whirling routine is a particular highlight. Their choice of musical backgrounds adds considerably to their effectiveness. The waltz opener permits for the quasi-adagio posturings but it's in the 'Dark Eyes' sequence that they really sock. Then they hark back to a Vernon and Irene Castles routine of 25 years ago (announced), and the finale is a Spanish-shawl double. Withal, a class couple for the classiest of nitery boites.

Rolly Rolls (New Acts), likewise of 'international' vintage, hailing from France, but handling his Anglais small talk in good style, is a cinch for important grooving in American cafes. His pianologistic comedy is of unusual pattern.

Ben Cutler's band, as with his recent predecessors, breaks up into a sub unit for the Latin terps, thus making it a two-in-one combo. Virginia Hays' vocals of the pops are augmented by her entr' act specialty at the Steinway, fancy arrangements of symphonized syncopation and unadulterated symph. Dr. Sydney Ross who can give cards and spades (no pun) to many an on-the-floor card manipulator continues with his unusual divertissement at tables. With showmanship and an arresting cafe floor personality he'd click in the middle of the floor as well as he does in the intimate closeup work with the customers, although he's more effective at close range. *Abel.*

CHARLEY FOY'S, L. A.

Los Angeles, Feb. 7.
Charley Foy, Bobby Evans, Wilma Novak, George Beatty, George Riley, Leonard Seuss Orch (4); Minimum, $1.50.

On his own after a long siege in the operation of the Grace Hayes Lodge with his ex-frau, Charlie Foy has set up shop a piece down the boulevard in the Valley sector, 10 minutes drive from Hollywood. In less than three months he has made the spot the gayest grotto on the north side of town. The Lodge trade is gradually filtering his way and the rivalry is as intense as the doings are rowdy. Valley is heavily tenanted by the film and radio mob and that makes for a convenient spot to while away an evening when the home fires die down.

What made the Lodge is putting over Foy's super club; impromptu performances by the drop-ins, which includes plenty of names any night in the week. Of a Friday night after the Legion fights the room is a seething mass around midnight, every one of its 160 chairs filled with spenders—and acts. Over at a table near an open fireplace sit Foy, Phil Berle and a few other Foys casing the layout. In no time at all they've spotted enough acts to gladden the heart of an Orpheum booker. And it's no trouble at all to get them up on the stage for a turn.

Over at a side table in a blazing sports jacket sits Lou Alter. How about doing his new tune, 'Dolores'? Bert Wheeler, who has been on, would gladly lend voice to the lyrics. In no time at all Alter is at the piano and a brand new song is given its first public performance. Without as much as a wait the droppers-in file past the tables and bound onto the stage, just about big enough for a single with the band on. Leila Hyams accompanies her own vocals on the piano; Stanley Fields, film heavy, spins a few yarns; Cliff Edwards strums a uke and pipes a coupla numbers; Roscoe Ates stutters through a monolog; John Ritt, a tenor with a new Metro contract, booms a pair of faves; Bill Burt gives out with a tap routine that's faster than most seen around here; Judy Garland begs off after one number, and George Riley pours out gags slightly on the blue side but a natural for this clientele. He wowed 'em with 'I'm back in Hollywood to make my first picture ... for FBI.' Gags are mostly pro-tinctured and that makes them pat with the mob.

But the show is not all on the free side, abundant and expert as it is. Foy gives out with an imitation of his dad (Eddie) singing a song out of the corne of his mouth and flipping a cane in the dandy style of that day; George Beatty, tears off a few tunes with nitery-flavored lyrics and does a pantomime of a sailor with the shakes that's a gem of characterization; Bobby Evans is a sepia stepper, who talks more than he dances, which should be the other way around, and Wilma Novak torches and writhes with a torrid flourish. Leonard Seuss, a young man with a horn, who has been around since he was a shaver, has developed a virtuosity with the trumpet that is comparable to the hot lick experts. He does a specialty that runs from a hot blast to a zephyrous coo. When Eddie, Jr., isn't tied up at the studio—or in vaude, as he is this week—he's also on deck for a bit of Foyiana.

Unlike most Valley grottos, Foy's layout gives out with choice vittles, tariffed up to $2.50. Spot gets a strong early dinner play. Heavily in its favor is word getting around that it gets top call with the actors and band leaders. Where the flashlights pop that's where spenders flock. It's an old Hollywood custom, hobnobbing with the great. *Helm.*

Colony, Palm Beach

Palm Beach, Feb. 8.
Lois Elliman, Ernie Holst Orch (12); $2 minimum.

Confirming the fact that the season may now be considered as having arrived in Palm Beach, the Gold Coast's swankiest non-membership nocturnal rendezvous, the Colony, has unrolled the plush carpet. It's the same old Colony as always: it has dignity without appearing too stiffly formal, which is to say it's very Palm Beachy. Even the busboys are the same, unless perhaps their a's are a shade broader. As in previous years it's the very night spot for the elite who cawn't stand the thought of bending elbows with the bourgois in 'that awful ghastly Miami.'

Other than the perennial Ernie Holst combo, socialite songstress Lois Elliman is the solo attraction. A charming and gifted lass she has managed to overcome the somewhat dubious billing of a society canary, and needs no blue book rating to enhance her nifty songalogs. Her warm, rich timbred vocalizing adapts itself well to either the approved chanteuse intime manner, or plain gutbucket, and her keyboard improvisations are calculated to show her talented pipes off to best advantage. When caught opening nite (5) the customers—every last one of them—liked her. They must have—they called her back so many times she did a song for practically everyone in the joint.

This is one of Holst's favorite bailiwicks, and it's very noticeable. The smaller room is much better adapted to his sprightly style, and his combo sounds zingier and looks more at home than it did under the tropical foliage in the Miami Beachcomber. Holst, too, seems to have revived from the lethargy which overtook him in Miami. He breaks the sets up with plenty of Latin flavor, but customers' tastes here are generally keynoted by Gershwin, Kern and Cole Porter tunes. *Leslie.*

New Acts In Cafes

GENE AUSTIN
With Whippoorwills (4) and Doris Sherrill
Don Lanning's, Miami Beach

Gene Austin, standard on disks, radio and with ample stage and screen background, is still whamming 'em in the 1941 manner as he did when his top selling 'My Blue Heaven' was the rage on Victor records in the post-World War I era. Here, in this Miami Beach bistro, Austin is giving out very much in the groove with his own unique style of modern vocalizing. On top of that, in place of his former standard Candy and Coco team, he has a quartet of 'teen-age boys known as The Whippoorwills (two guitars, string bass and mandolin) who really can send with their string music.

There's also a young songstress in the act, Doris Sherrill, alternating with Austin who presides at the ivories throughout, either accompanying her, himself or sitting in with the instrumentalists for their sweet-swing specialties. Latter also double as the dance music giverouters, withal a very versatile combo. Miss Sherrill can scat with the best of 'em.

Don Lanning's is an intime bistro, more or less a neighborhood spot, run by a former actor, Mrs. Lanning, yclept Roberta Sherwood, also pitches in with her own vocal specialties, both clicking on the rostrum as well as they seemingly are registering as cafe proprietors.

Austin's repertoire of 'Blue Hour,' 'Sleepy Time Gal,' the inevitable 'Blue Heaven,' 'Take 'Em to the Door, There Aint No More Blues,' standards basically, are done in the song stylist's unique delivery. Lanning is an equally facile songpicker, doing Marion Harris' 'More Than You Know' (Youmans), and 'Great Day,' another Youmans excerpt, a la Bordoni, both so announced.

Without Lanning, of course, but with his quartet and Miss Sherrill, Austin has a nifty setup that can go into any cafe or theatre and more than hold its own. *Abel.*

ROLLY ROLLS
Comedian at Piano
10 Mins.
Rainbow Room, N. Y.

Rolly Rolls is French funster whose pianology is paradoxically of concert platform worth, comparable to Alec Templeton's skill at the Steinway. But since comedy pays faster dividends than forthright virtuosity, seemingly he, like Templeton, is stressing the comic aspects.

Thus, amidst his straight piano work he 'beats Brahms eight to the bar,' with comedy variations, such as a breakaway piano, utilizing a couple of the hammers for comedy business. He also performs on what is announced as the smallest concertina in the world, getting lots of genuine melody out of it, as a specialty away from the piano. He has a great sense of comedy values, doing near-sighted musical prof. at the pianoforte, wherein maestro Ben Cutler is an effective aide with the proper musical cues.

Rolls is said to have just arrived via South American bookings. He's of a calibre that can play anywhere, and makes a sturdy interlude for any cafe show; also OK for musical stage production or in presentation houses. *Abel.*

N. Y. Nitery Followup

Waldorf-Astoria's Empire Room has a good lineup featuring Leighton Noble's band, with Russell Swann, magico, and Yvette, songstress, as soloists. It makes for excellent variety and novelty. The blonde Yvette, with her Frenchy-style songs, has been around in cafes and via NBC buildup (also doubling currently into the Broadway Strand) and judiciously mixes up her repertoire such as 'Berkeley Square,' 'Frenesi' (in Spanish), a French chanson d'amour and 'Last Time I Saw Paris.' Swann's magico routine is a sort of one-man 'Hellzapoppin,' utilizing a Chinese lad as a comedy stooge, and emphasizing the laugh portion along with his legitimate mystification.

Leighton Noble, who inherited the late Orville Knapp's band, has a smooth 11-piece band comprising four reeds, three brass (Murray Bond missing through a draft board call), piano, string bass, drums and Chick Floyd, who is Noble's partner on the Novachord. Eddie Metcalfe, sax, also does the vocals, and with Floyd and Noble comprise a trio for further vocal harmonics. Noble also doubles on piano, thus giving the lineup two pianos, plus Novachord, on some of the arrangements. Mischa Borr comes over for the supper dansants to do the congarhumba chores but, for dinner sessions, Noble mixes up his straight bouncepation with occasional Latin terp tunes. Biz has been good and Noble is spotted indef.

Danny Kaye at LaMartinique, marking a return, should be made a partner by Dario, boniface of this class bistro. He has put the Martinique back into the big league as a money grosser after a post-Xmas slump. In a measure, despite Kaye's unusual click in the Gertrude Lawrence show, 'Lady in the Dark,' the comedian owes a debt to Dario. Latter first showcased this funster when he was in 'Strawhat Revue,' and it was in LaMartinique that Moss Hart, Max Gordon, George S. Kaufman and the others saw Kaye to advantage, resulting in the legit spotting. Comic, in turn, is frank in his obligation to boniface Dario and also to Sylvia Fine, his pianiste, in private life Mrs. Kaye. Latter's special material is of wow calibre and if this is a consistent brand of her lyricizing Miss Fine (or Mrs. Kaye) is a cinch for prominence in the theatre as a scripter. Her satirical wordage and Kaye's excellent interpretation thereof make for a perfect blend. He publicly salutes her before the final encore, usually in the spot following 'A Modern Fairy Tale.' In addition, Kaye's own Noelcowardish takeoffs, the mad Russian conga, 'Stanislavsky' and the rest place him among the foremost cafe and variety specialty performers. Unusual, of course, in his fast climb to big league stature, all within the span of one season on Broadway.

Rest of the show comprises an equally solid hors d'ouvre contribution in the form of Mati and Hari with their comedy dance routine, notably the circus repertoire. They too are facile and seasoned troupers. Roy Fox's orchestra (Band Reviews) and Herbert Corbello's crack Latin crew round out a strong lineup in this $2.50-$3.50 minimum cover spot —and worth it.

Mary Raye and Naldi are at their top form in the Hotel Plaza's Persian Room, worthy successors in style and calibre to The DeMarcos when they, with Eddy Duchin, made for a surefire parlay that kept Paul, at the door, cheerful. Dancers, who are also doubling into 'Crazy with the Heat,' Broadway revue, are amazing with their adagio-gymnastic holds in smooth routine and sequence, whether it's their opening 'Moonlight Sonata' waltz, a smooth tango, a fast paso doble or the surefire 'Sylvia,' with disk-recorded recitative accompaniment. They set a pace in that sort of thing when first introducing the idea at the Rainbow Room two seasons ago, and have now extended it further.

Dick Gasparre's band, expert as ever, and in the groove for a class room like the Plaza's Persian Room, holds over with his tiptop tunestering, aided by Chiquito's rhumbaists for the cocktail dansants. Jane Winton, with her songstering in the 'society' idiom, lacks distinction. *Abel.*

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COURT NAMES TRUSTEES FOR AFA FUND

Settlement of a dispute over the dissolution of the death benefit fund of the American Federation of Actors was made Thursday (6) in the N. Y. supreme court, when Justice Bernard L. Shientag approved a plan for the appointment of three trustees who will serve without compensation and will pay off as members die. The trustees are Senator Robert L. Wagner, Joseph Padway and Sidney E. Cohn, with approximately $17,000 left to be distributed to members in good standing as of July 14, 1939, as they die.

AFA was organized in 1934 and until its charter was revoked by the Associated Actors & Artistes of America had accummulated $17,000 to be paid at the rate of $300 per death to members in good standing. The fund was administered by trustees Frank E. Lynch, Rudy Vallee, Sophie Tucker and Gus Van. After the charter revocation it was decided to dissolve the fund and apportion the money among 10,800 members to whom ballots were sent. Of these, 682 returned their vote with 673 approving the dissolution.

However, Alan Corelli, chairman of the Theatre Authority, Inc., fought the issue through the courts, claiming that neither Ralph Whitehead, executive secretary of the AFA, nor Frank Lynch should handle the dissolution of the fund.

S. F. AGVA Votes Strike If Agents Fail to Live Up to Pay Minimums

San Francisco, Feb. 11.

The local executive board of the American Guild Variety Artists has been voted full power to call a strike against agents if necessary to enforce the union's new contract. The decision was reached at a membership meeting also attended by John O'Connell, secretary of the Frisco Labor Council, and Anthony Noriega, of the California Theatrical Federation.

Principal point at issue is AGVA's insistance that minimums be met, minus usual agency deductions. This has brought bitter opposition from some of the agents. Only concession made by AGVA is scaling of club dates from $12.50 back to the original $10, but with the proviso that this fee be net to the artist. The union also passed a resolution agreeing not to act in the capacity of an agent so long as 'one fair agent' remains in business.

DANCER CLAIMS AGENT WAS MUCH TOO SOCIAL

Sally Keith, dancer, filed an unusual and unique answer in the N. Y. supreme court Friday (7) to a $12,600 breach of contract suit filed against her by Jack Parr, her former agent. Answer claims that under the contract Parr was to secure her theatrical engagements but failed to get an employment agency license; that he refused to allow her to accept engagements more than 25 miles from N. Y., that he accompanied her on all social calls; that he cancelled repeat engagements in Detroit and Chicago; and that he assumed a dominating attitude after signing a managerial contract.

Miss Keith does admit that Parr was instrumental in exploiting her talents and establishing her career, but claims his subsequent acts breached the deal. Parr signed a five-year contract with her on April 1, 1940, and since then she has earned $8,000, giving him $1,200 due on a 15% commission. He claims he advanced her $5,400 on personal loans and wants $6,000 for the breach.

Corbett Conscripted

Detroit, Feb. 11.

Wally Corbett, of the dance team of Corbett and Lorraine, current at Saks Show Bar, goes into the U. S. army following the act's date here.

Miss Lorraine will do a solo act while her partner is doing his year's hitch for Uncle Sam.

Places Her Faith

Minneapolis, Feb. 11.

In a publicity tieup in conjunction with her recent appearance at the Minneapolis theatre, Sally Rand addressed the Minneapolis Police Federation, advising the cops on how to perform their duties.

Subject was, 'How Police Best Can Supplement Work of Heaven in Protecting the Working Girl.'

Ciggie Girl, 17, Causes Conviction of Det. Nitery Op; $2 for Concession

Detroit, Feb. 11.

After taking only one look at girlish Betty Ann Ludwig, Judge George T. Murphy here found Sammy Sofferin guilty of employing a minor in his downtown cabaret, the Wonder Bar. Sofferin had contended that the girl had told him she was 21, but the judge decided the police were right in maintaining she was 17.

The case also brought to light that on the payment of $2 a week to Sofferin Miss Ludwig had the cigaret concession and was entitled to sell smokes for whatever the traffic would bear. Sofferin tried to ease the penalty on himself by pointing out that the girl previously had been employed by Lester Gruber in his London Chop House, another downtown nitery, but the edge went off that when it was disclosed that Gruber had fired the girl when she failed to produce a birth record.

It was Sofferin's latest brush with the law, which less than a year ago shut his Powatan Club after a light-fingered bank cashier named the spot as one in which he had dropped thousands of dollars gambling, and also on charges that drinks were sold after the 2 a.m. closing law. The new offense also will result in Sofferin's being held up on a state charge, as well as the city ordinance, for the employment of a minor. Charges will also be preferred before the Liquor Commission. He will be sentenced in the city court Friday (14).

2 MORE BLUENOSES GET JAIL SENTENCES

Minneapolis, Feb. 11.

D. R. Winchester and Bruce Pogue, two former investigators for the Rev. H. J. Saltau, head of the Law Enforcement league, which has clamped the lid down here, were sentenced in district court to one year in the state reformatory for perjury. Pogue's sentence was stayed, however, and he was placed on probation for a year.

The Rev. Saltau himself was recently found guilty by a district court jury of perjury in connection with his activities and is under sentence of one year in prison. His commitment was stayed for 40 days to permit appeal.

Several other Law Enforcement league investigators have been involved in extortion charges.

Paul Savoy Expands Western Vaude Time

Los Angeles, Feb. 11.

Paul Savoy, of Coast-to-Coast agency, here from Salt Lake City to sew up the Earl Carroll 'Vanities' for five-day booking, en route east, announced acquisition of approximately four weeks of vaude playing time in the Salt Lake region. Towns include Salt Lake, Logan and Ogden in Utah, and Bocatello, Twin Falls, Idaho Falls and Pinney in Idaho.

In addition, Savoy is able to offer turns about 10 weeks of night club spots in the area, plus four weeks of playing time in and around Denver. 'Vanities' opened (8) at the Lake theatre in Salt Lake City.

15c Bargain

Minneapolis, Feb. 11.

Gayety, former home of burlesque here and now a 10c subsequent-run double feature house, is using vaudeville three nights a week, with admission boosted to 15c on these occasions. For 15c patrons see five vaudeville acts, locally booked, two features and numerous shorts. Four union stage hands and five union musicians receive $9 a piece per night.

Two other downtown houses, Minnesota and Orpheum, also are using stage shows regularly now.

HADDOCK FIRED AS AGVA EXEC. SEC.; SUCCESSOR TO BE NAMED SHORTLY

Action Taken by Joint Meeting of Union's National Board and Executive Committee—Official Had Been Focal Point in Row

Hoyt Haddock was dismissed Monday (10) as national executive secretary of the American Guild of Variety Artists. Action was taken by a joint meeting of AGVA's national board and the recently set up executive committee.

No successor had been chosen up to yesterday afternoon (Tuesday), but it's probable that one will be named before the week is out.

Haddock, a non-actor brought into AGVA more than a year ago from outside labor unions, notably the National Maritime Union, telegraphers and oil workers, has been the focal point of an AGVA storm for many months. Criticism was first levelled at him because of his lack of knowledge of the show business, (2) because AGVA was put in an unfavorable light when Congressman William P. Lamberton (Kansas) named Haddock in the Congressional Record as a Communist, (3) because he consistently sided with the 'radical' faction in AGVA's N. Y. local, (4) because he ordered AGVA's Detroit representative, Lee Golden, to have AGVA members walk out in a sympathy strike with the porters' union at the Michigan theatre there New Year's Eve. Latter was done without the knowledge or okay of AGVA's board or officers. Dewey Barto, president of AGVA, rescinded Haddock's order before a walkout.

Haddock put himself in a more unfavorable light the past few weeks when he tried to discredit Barto, who, though working in 'Hellzapoppin', has been giving AGVA virtually all of his spare time. Barto was chiefly responsible in almost entirely eliminating the 'radical' element from official and paid positions with AGVA, and also in getting the first vaude-nitery union closedshop agreement with N. Y. vaudfilm theatres.

While not so stated officially, it was evident a couple of weeks ago that an attempt was made to forestall Haddock's dismissal. A meeting of midwest local executive secretaries was set for Toledo, and which Haddock attended. It was there proposed that Haddock be given a 'vote of confidence' and passed, but why this was asked at a purely business meeting has not been made clear.

Haddock was brought into the AGVA setup after three executive secretaries, Maida Reade, Dorothy Bryant and Jean Muir, lasted brief tenures of office. Henry Jaffe, attorney for the American Federation of Actors and the American Guild of Musical Artists, recommended him, on the basis of reports he had received from outsiders familiar with union affairs. Jaffe resigned as AGVA's counsel last week because the press of work for AFRA and AGMA did not allow him time to handle the multiple routine matters of AGVA.

Chi Bookings

Chicago, Feb. 11.

Set for the stage of the Balaban & Katz Chicago week following the Phil Spitalny orch, which opens Friday (14), are Jane Froman and the Matty Malneck orch. Earl Carroll's 'Vanities' unit comes in Feb. 28.

Across the street, the State-Lake has set Harry Howard's 'International Casino' unit for Feb. 21 and the Ray Herbeck orch for Feb. 28.

WILBY-KINCEY VAUDE ON UPBEAT

Charlotte, N. C., Feb. 11.

Vaudeville is enjoying its best season in six years on the Wilby-Kincey circuit, which covers 150 theatres in southeastern states, according to T. D. Kemp, Jr., booker. At present 25 units, averaging around 25 persons to the unit, are playing dates on the circuit, which extends from West Virginia to Florida. Kemp now is offering 10 weeks of solid booking, sometimes augmented by additional booking in Florida on the Sparks circuit.

A number of theatres on the circuit have extended vaude engagements. The National theatre in Richmond goes to a full week of vaudeville on Feb. 20, while the Granby, Norfolk, hypoed by sailor patronage, goes to a full week March 1. The Broadway, Charlotte, upped its policy to showing units every Friday and Saturday instead of on alternate weeks beginning last week.

Units now playing in the territory include Joe Karston's 'Studio Scandals,'; DeWolfe & Paige's 'Midnight in Miami,'; Nick Boila's 'Bring on the Girls.'; June Carr's 'Parisian Creations'; Ed Gardiner's 'Sensations of 1941'; Nick Boila's 'Tropical Follies'; Harry Clark's 'Red Hot and Lovely'; Anton Scibilia's 'Follies Caprice'; Clyde Jordan's 'Crazy Show of 1941'; Frank Taylor's, 'Review Glorified'; George McCall's 'Hollywood Revue'; Matty Rosen's 'Oomph in Swingtime' with Fifi D'Orsay and Lee Dixon, and Bobby Morris' 'American Jamboree' Bands now playing in the territory include Little Jack Little, Will Bradley and Jack Teagarden. Bands booked for the near future are Enoch Light, Charlie Barnet and Don Bestor.

Cover Up the Booze, Boys, Somebody May Want to Buy a Drink

St. Louis, Feb. 11.

Missouri taverns must shroud the liquor from the sight of potential customers during the hours in which its sale is prohibited, according to an edict issued last week by C. R. Noel, State Liquor Supervisor.

The idea, said Chief Clerk Wallace I. Bowers from his Jefferson City office, is that there will not be the likelihood of illegal sales if intoxicants cannot be seen by persons who remain in places of business beyond the legal closing.

VAUDE OUT OF FOX, ST. L., AFTER 14 WKS.

St. Louis, Feb. 11.

Vaudfilm policy at the Fox, Fanchon & Marco's 5,000-seater in midtown, has been dropped after 14 weeks and Clyde Brown, manager, said unavailability of shows sought is the reason. Glenn Miller's band is skedded for a one-week stand starting March 29, but no announcement has been made whether any other band or stage units will follow.

Biz was usually good on Friday, Saturday and Sunday when the combo policy was in force, but it dropped off during the rest of the week.

Who's Copping?

Minneapolis, Feb. 11.

Local theatregoers who attend both the Orpheum and Minnesota theatres these days are wondering if the same material writers are supplying identical stuff for more than one performer, or whether there's just some dirty work at the crossroads.

The 'fun and fanny' gag is being pulled at two theatres currently. Ben Blue uses it at the Orpheum and Sid Tomack and the Reis brothers at the Minnesota. Last week at the Orpheum the Three Stooges used the one about being a gossip in a hospital. Currently, Blue spills it at the same showhouse.

Gerrits Files $50,000 Suit Vs. Lew Parker For Act Infringement

Lew Parker has been served in a $50,000 damage suit begun against him in New York supreme court, by Paul Gerrits, charging Parker with infringing on material Gerrits owns and used in the show 'All in Fun.' Papers were served on Parker, Wednesday (5). At the same time the comedian was notified of a hearing set for Feb. 17 on an application for an injunction to restrain him from further use of the material. Gerrits' counsel is Goldfarb, Mirenburg & Vallon.

Loew's State theatre, New York, where Parker played and used the disputed lines last week, was not mentioned in the suit at all.

Gerrits claims that Parker lifted and used almost bodily a sketch, 'Neurosis,' he did in 'All in Fun,' which was written by Virginia Faulkner. After the show closed Gerrits bought the rights to the material from Miss Faulkner.

SET UP INTACT SHOWS FOR HOTELS, NITERIES

Art & Bob Weems, talent agency in Chicago, has begun building unit shows, complete from band to dancing line, for hotel rooms and nitery floors. Two units have thus far been put together, the first one currently rehearsing for a Friday (14) opening of a four-week stretch at the Nicollet hotel, Minneapolis. It consist of Billy Baer's band, Lathrop Bros. and Virginia Lee, Rica Martine, Latin singer-dancer; Allan Carney, imitator, and Thelma Marland, rhythm singer.

Second lineup, also in rehearsal, is to go into the Lookout House, Cincinnati, Feb. 18. It's made up of Henry Senne's band, Mayfair Mannequins (eight showgirls), Three Freshmen, comedy trio; Jack and Jill Warner, dance duo, and Guy Churney, m.c. and singer.

Police Raid Philly Nitery For Sunday Booze Sales

Philadelphia, Feb. 11.

The opening gun in a campaign by police to end Sabbath sale of liquor came early last Sunday (9) with a raid on the Rendezvous, nitery in the midtown Hotel Senator. Four coppers crashed the place at 5 a.m. and one of them announced over the mike that 'the joint is pinched.'

Patrons were allowed to leave, but the cops arrested Irvin Wolf, operator of the spot; members of a three-piece ensemble; the Four Blues, a vocal quartet; a cigarette girl and nine bartenders and waiters.

Up to now virtually all raids for Sabbath liquor sales in niteries have been made by agents of the State Liquor Control Board, which has accused local police of winking at violations.

SALE OF ATLANTIC CITY STEEL PIER IS COLD

Philadelphia, Feb. 11.

A deal that would have meant switch in operators of the Steel Pier, Atlantic City, has gone cold. Leading bidders for the pier were Ben Rubin and George Hamid, as partners. Hamid the past few years has operated the Million Dollar Pier at Atlantic City in competition to Steel Pier. Operator of Steel Pier is George Cravatt, one of Atlantic City's biggest realty holders.

Gravatt has operated the Steel Pier for many years, with Eddie Sherman booking the bands and talent for the many amusement niches of the huge enterprise.

Bruz Fletcher Suicides

Hollywood, Feb. 11.

Stoughton J. ('Bruz') Fletcher, 35, nitery entertainer, suicided by monoxide gas in his garage on Feb. 8 at Tarzana, near Hollywood.

Friends say Fletcher was despondent over inability to find work, although for a time he was quite a click at the Club Ball here.

Equity Gets Supervision of Army Camp Shows; Private Organization Seeks $1,000,000 for Entertainment

Equity has been designated to supervise the presentation of professional shows in the army's training camps by the Associated Actors & Artistes of America. So far Washington has not given the subject of entertaining trainees serious consideration, primary activity being to get the men to the camps, but it is indicated that the entertainment activities will operate through the army's morale department.

There is, however, a civilian organization known as the Friends of the New York Soldiers and Sailors, headed by Thomas J. Watson, which has entertainment for trainees as its objective. It is hoped to raise $1,000,000 for that purpose, principally through membership subscription. At a meeting of the Friends held at the Plaza hotel, N.Y., Thursday (6), which drew 600 persons, plans were outlined. Most of the assemblage were socialites, but a number of representative showmen were on hand and spoke.

Brock Pemberton introduced the theatre people, among them Bert Lytell, president of Equity, who stated that the experience during the first World War was that men in camps distinctly preferred professional shows and that amateur performances participated in by the soldiers was secondary. Lytell figures that one-set shows could be toured through the camps successfully for an admission of 25c, as there would be no theatre overhead.

It will be necessary to erect buildings with stage equipment for such performances and the Friends may direct most of its efforts in that direction. When plans are further developed, it is likely that Equity will make special regulations as to minimum pay. Professional camp shows would greatly help the unemployment problem in the actor unions, it is believed.

Other Speakers

Among those who also addressed the gathering of Friends were Irving Berlin and Ole Olsen. Lieut. General Hugh A. Drum explained that trainees from New York are scattered in camps all over the map and that therefore the Friends' activities should not be confined to any specific territory. Also introduced were Mayor La Guardia, Rear Admiral Clark H. Woodward, Major Gen. William Ottman, representing Governor Lehman, and Lawrence Tibbett, who led the meeting in singing "The Star Spangled Banner" at the finale.

James J. Blaine, a banker, heads the financial committee. There were several committees named, but it is likely they will be merged for efficiency. Committee people are Antoinette Perry, Mrs. Winthrop Ames Pemberton, Mrs. Junius Morgan, Mrs. Lawrence Tibbett, Emily Holt is the general representative for the Four A's, while Equity's committee is made up of Maida Reade and John Lorenz.

General idea of the professionals in the civilian organization is that while pictures and radio will be factors in the camps, stage performers should be paramount. Buildings expected to be built will be used as clubs for the trainees in addition to providing facilities for performances. Drive for funds will include a button campaign for small contributions. Cooperation of existing welfare organizations, such as the Y.M.C.A., Knights of Columbus and the Jewish Welfare, will be sought.

Saranac Lake

By Happy Benway

Saranac Lake, Feb. 11.

Max Smallens, who has ozoned here for a long time, got the 'go-home' okay.

Margie Regan, Jimmy Johnston's ex-secretary, is flashing a mess of real good reports.

Monroe Coleman, who is still abed after that serious operation, has just been told by his medico that he will soon be up and working in the san's lab.

Harry (Stuart and) Martin is a successful pneumo-thorax patient. Dr. Wariner Woodruff is eyeing him for that pneumolysis operation in the near future.

Iris Gabrielle left the Colony for New York, then to Hollywood, where she is penciled in for a picture assignment. Made the grade in one year.

For 15 years Alice Carman has been fighting operations, etc., and a cheerful missive might pack a bigger wallop than a medico's pill. She is at the Will Rogers hospital.

Robert H. Cosgrove, who was with the 'Merry Wives of Windsor,' featuring Mrs. William Faversham, and whose father clowned for Barnum & Bailey for years, is now progressing at the Will Rogers.

Jack Altree, Jimmy Plunkett, Seymore Grill, Oscar Price, Milton Weeks, Eddie Dowd, Frank Catherine, Eddie Vogt, Francis Roth, Martha Gill and Carl Kern are improving and taking up vocational training, which is another feather in Dr. George Wilson's hat.

Peggy McCarthy has shown wonderful comeback towards good health; ditto Hazel Smith.

From Hamilton, Scotland, comes greetings from Harry Leyton.

Paul Clark, clown roller-skater, here for checkup and then railroaded back to Rutland Heights, Mass., for an ozoning siege at the Vet's hospital.

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Stokowski

Continued from page 3

sponsive to his directions and sullen to his personality. He added he had no desire to appear with the organization again. Relations between the Philharmonic and Stoki's Philadelphia orchestra had previously been friendly, but thereafter they were more or less distant. Arturo Toscanini, at that time regular Philharmonic conductor, had made a few guest appearances with the Philadelphia orchestra, but discontinued the visits. Arthur Judson, general manager of both orchestras, continued both connections for some time, but was finally forced to resign the Philadelphia post under oblique pressure from Stokowski. He continues as business head of the Philharmonic.

A Charm Boy

Those who know Stokowski believe that when he returns to the Philharmonic next season he will be able to win over any of the men who still retain animosity from the old squabble. He has an enormously persuasive personality when he cares to exert it. Also, his prestige, as a result of film appearances and his spectacularly successful U. S. and foreign tours, gives him much greater authority than when he last appeared with the Philharmonic.

Among musicians, almost all top-notch conductors are regarded as martinets. The attitude of the men of the orchestras frequently varies from bitter hatred to virtual worship. When he was full-time conductor of the Philadelphia orchestra, Stoki was disliked and feared by his men, but even those who disliked him most respected his musical talent. It was universally said that the orchestra played for him as it did for no other conductor.

Toscanini, also a conductor of explosive temperament, is nevertheless generally liked and respected by his men. Koussevitzky, one of the few leading conductors who is not a martinet, has a unique relationship with the orchestra men. He is reported to be patient and generally kindly during rehearsals, although like Toscanini and Stokowski he is a demon for perfection. The men not only respect him—they adore him.

Met Op's Loss

Continued from page 3

wegian soprano's Elizabeth is not one of her best roles.

Friday afternoon (7), the season's only 'Das Rheingold,' drew near capacity with a gross of $14,500 and a profit of $2,000.

Friday evening (7), the season's first 'L'Amore Dei Tre Re,' with Grace Moore taking over the role of Flora, and Italo Montemezzi, the composer conducting, drew a house of about $11,000; a loss of $1,500.

Saturday afternoon (8), 'Tristan Und Isolde' with the tireless Flagsted and Melchior sold out completely at $15,500; a profit of $3,500.

Saturday evening (8), 'Rigoletto' with Jussi Bjoerling making his last appearance of the season, Tibbett in the title role, and Josephine Tuminia, California coloratura, making her debut, sold out at a $4 top grossing $10,000, and the house was forced to turn away several hundred would-be standees. Net profit about $1,000.

The soprano exhibited about the best voice of any coloraturas to make their debut after Lily Pons, even though the voice itself was small. Her technique was excellent, and the sustained 'E' at the conclusion of 'Caro Nome' won her an ovation. Built along the same lines as Miss Pons, the 25-year-old Californian should fill a much needed gap in the company's roster.

Coin Machines

Continued from page 1

acts on the record sale of a particular melody. During January best selling Columbia and Okeh labels were except for one or two ASCAP songs, made up entirely of BMI numbers. Company made more and more BMI grooved records as a result.

Victor's best selling lists were just the opposite. On their Victor and Bluebird labels 'Frenesi' was the only BMI click in evidence. But Victor soon changed its stance when it found sales skidding—that record buyers wanted the tunes that were being heard on the air. As a result Victor is reported to have leaned so far toward BMI it recently refused to allow one of its top bands to record an ASCAP number. And that band can normally record practically what it pleases.

Ralph Maurice's 3 Mos. In Jail on U.S. Tax Beef

Newark, Feb. 11.

Maurice Abraham, alias Ralph Maurice, operator of the Ross-Fenton Farms, New Jersey roadhouse, was sentenced to three months in prison and fined $2,000 on Friday (7) by Federal Judge Thomas Glyn Walker in the Newark federal court. Abraham had pleaded guilty to charges of evasion of income tax returns for the years 1938-39.

Actually the Government charge had been based on the fact that the corporation books had been destroyed and scattered for those years and not available to the Treasury department. Abraham, however, had failed to file returns for those years.

B'way Cleanup

Continued from page 1

Way of undesirable characters, honky-tonks, etc. Christenberry is being assured of 100% cooperation by theatre managers not only on the drive itself to clear Broadway of wrong characters but also in prettying up the street.

One of the objectives is to get all theatres to elliminate flags, bunting, valances, and the like which suggest a Coney Island atmosphere. Another is to try to induce realty owners to exercise greater caution in the making of leases and a compaign to get cheaper bars, cafeteries, fruit-juice stands, etc., to veer away from circusy 'house fronts' where possible.

Jessel

Continued from page 1

is the former New York mayor, Jimmy Walker.

When called upon to rave about a person whom he has never met until that evening, Jessel revealed his stock opening remarks: 'This is an evening to be remembered, and a memory to conjure with.'

'People think I've known the guest of honor for years and yet I don't know what I'm saying,' Jessel continued. 'It just sound impressive and leaves everyone happy, so what's the difference?

'Everybody should read Kenneth Roberts' latest book. 'Oliver Wiswell,' if one wants to obtain plenty of subject matter to discuss. Then again, one can explain to a foreigner who has read the book, that contrary to what Roberts wrote, our heroes were not villains; that Washington was not a snob or Hancock a bum.'

Jessel remarked that history was repeating itself in his own life in commenting on the barring of his wife from appearing at a Boston night club because she was only 16. Some 30 years ago he was barred from the old B. F. Keith's theatre, Boston, while appearing in Gus Edward's Song Revue, because he was only 11 years old, despite the fact that he wore long pants to shield his youth.

When he admitted never having seen a football game, the Harvard boys promptly invited Jessel to the opener next September.

TA's New Deal

Continued from page 1

officials in Washington at the President's charity affairs recently. Some of the performers who made as many as 17 personal appearances at various events, claim they were not invited to the White House luncheon or other affairs; also that some of those connected with the Fund treated them as though they were servants rather than actors, and ordered them around as such.

One performer familiar with what happened stated that many of the actors were especially burned up by the abuse hurled at Deanna Durbin from Baltimore, where, unauthorized, the young star had been billed to appear at the Fifth Regiment Armory Ball. Miss Durbin, who had already made 14 appearances in Washington, complied with her mother's advice not to chance a hurried plane or auto trip to Balto with the result that Baltimore burned up.

Benny Shawker, drummer with Alvino Rey, shifting to Charlie Spivak's new band at Glen Island Casino, New York. Rey is at Rustic Cabin, Englewood Cliffs, N. J. Spivak is also taking on a new singer, Kitty McLane.

Miami

Continued from page 2

shutout the slot machines. Reason for the sudden quietus on this front is reported in authoritative quarters as the result of a top operator implying that he was well connected with a recently elected state official. The rumor that this operator was getting machines placed by guaranteeing protection reached capital ears and the machines were promptly stilled.

Chairman Alex Balfe, representing the State Racing Commission, also entered the picture this week by ordering all hand books closed during the remainder of the racing season. This is in deference to the local tracks whose handle this year has been consistently under last season. This is a standard routine every February, and receives just about that much attention.

Only issue receiving serious attention from both police and operators are series of stickups during the past week. On two occasions leg men running cash from locally owned spots have been relieved of their burden, and number of robberies and holdups are reported daily.

Only One Nitery Foldup

To date, only one nitery has folded, although it has been rumored that a number are on the verge. Closing of Singapore Sadie's was a foregone conclusion from the start, and created no surprise. Other establishments are reporting a sizable increase in attendance this week and are jubilant over the prospect of recouping some of their losses. Although the Beachcomber, Royal Palm, Latin Quarter and Colonial Inn have been immediate clicks, heavy operating nuts have kept most of them in the red. Latin Quarter and the Beachcomber are the only two that have anywhere near broken even. Neither of these spots have a casino.

Hotels Glum, But Hopeful

On the hotel front, managers are glum over the number of vacant rooms, and rates are being drastically re-shuffled in the hope of snaring many who ordinary would seek a less costly address. With 41 new hostelries in action, there is ample reason to complain, but rumors that any of the major hotels have shuttered are entirely false. Oddly enough many operators feel that there is still a chance to score, and are working diligently to help counteract impression that town is full and rates are high.

Local opinion is that with good weather and word getting around that rates are down and accommodations plentiful, this locality may yet salvage some of the wreck of the 1941 season.

'Revenge' Raids

Acting on a warrant obtained by J. Fritz Gordon, attorney, for Sam 'Gamehoy' Miller, operator of the raided gambling concession at Slappsie Maxie's, sheriff's deputies early Wednesday (5) raided the swank Royal Palm and Esquire Club in downtown Miami, arresting eight alleged operators and confiscating $19,500 and all equipment in the gaming rooms. Around 1,500 persons were in the Royal Palm, but were not held for questioning.

Immediately following the raids, orders were issued by Joseph Condermann, chief deputy sheriff from the State Racing Commission, for the shutting down of the lucrative bingo games, which have been flourishing all over town. Spot most affected by this move is the Terrace Club, where as many as 3,500 persons have been gathering nightly, and the slot machine play is so heavy a mechanic is kept on contsant duty.

Fact that Miller and his partner, Percy Hunter, are not members of the so-called local syndicate operating Miami's organized gambling, and that their attorney secured the warrants which forced the raids on the Royal Palm and Esquire, both of which are 'syndicate-controlled,' led to the report of some quarters that boys had adopted an 'if our spots don't run your spots don't run either' attitude.

This was vigorously denied by Hunter and Gordon.

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NEXT WEEK (Feb. 14)

Numerals in connection with bills below indicate opening day of show, whether full or split week

Loew

NEW YORK CITY
State (13)
Loyal's Stallions
Hal Le Roy
Belle Baker
Walter Dare Wahl
Herbie Kaye Orc
Vera Fern
WASHINGTON
Capitol (14)
Funzafire

Paramount

NEW YORK CITY
Paramount (12)
Glenn Miller Orc
Dean Murphy
Cass Daley
Lane & Ward
BUFFALO
Buffalo (14)
Cab Calloway Orc
Mills Bros
CHICAGO
Chicago (14)
Phil Spitalny Orc
State Lake (14)
Jack Pomeroy Rev
MINNEAPOLIS
Orpheum (14)
Earl Carroll Co

RKO

BOSTON
Keith (13-16)
T & B Wonder
Frank Paris
Kidoodlers
Herman Timberg
Judy Kelly
3 Arnolds
CINCINNATI
Shubert (14)
Follies Bergere
(7)
Milt Britton Co
Patricia Ellis
Minevitch Rascals
Tommy Rafferty
Tito
Helen Pammer
CLEVELAND
Palace (14)
Andrews Sis
Joe Venuti Orc
Ruthie Barnes
West & Page
Rufe Davis
(7)
Folies Bergere
DAYTON
Colonial (14)
5 Canestrellys
Allen & Kent
Ginger Manners
Fred Sanborne
(7)
Ada Leonard Orc
Flo Mayo
Winnie May
Sylvia & Clements
Steve Evans
ROCHESTER
Temple (14)
Streets of Paris
(7)
Cab Calloway Orc
Avis Andrews
Niesen & Aland
Cook & Brown
6 Cotton Club Boys
SCHENECTADY
Proctor's (12 only)
Major Bowes U
SYRACUSE
Strand (14-16)
Major Bowes U

Warner

NEW YORK CITY
Strand (14)
Ray Noble Orc
Georgie Tapps
Yvette
J & J McKenna
PHILADELPHIA
Earle (14)
John 'Scat' Davis O
3 Diamond Bros
Sue Ryan
Johnny Downs
(7)
Sammy Kaye Orc
2 Statlers
Chris Cross
Nonchalants
PITTSBURGH
Stanley (14)
La Conga Rev
La Comparsa Co
Cesar & Rosita Co
Tito Coral
Ferdinand, the Bull
Del Carmen & Vega
Ramon's Caballeros
WASHINGTON
Earle (14)
Calgary Bros
3 Pitchmen
Gae Foster Gls
Loper & Barratt
(7)
Gae Foster Gls
Ray & Trent
Ben Yost Co
Linda Moody
Gil Lamb Co

Independent

NEW YORK CITY
Music Hall (13)
Le Juvelye
Corps de Ballet
Rockettes
Erno Rapee Symph
Henry Calvin
Apollo (14)
Les Hite Orc
Bob Love
3 Chocolateers
Ben Lowry
Julia Gardner
May Joy
Dewey Brown
Freddy Robinson
George Wilshire
Riviera (16)
Rolfe Orc
Helen Kane
Rounsville & Dol'res
Glenn & Jenkins
Harry Reso
Windsor (13)
Bill Robinson
Johnny Long Orc
Pat Henning Co
Jack McCoy
4 H'wood Blondes
BALTIMORE
Hippodrome (13)
Fraday Dane
Dorn Bros & Mary
Truth or Con'quence
State (16-19)
Luby & Harris
(13-15)
Tommy Bell
Levere & Handman
Flashlite Revels
BROOKLYN
Flatbush (13)
Bobby Byrne Orc
Senator Murphy
Grace Drysdale
Larry Adler
Garron & Bennett
CAMDEN
Towers (14-16)
Toy & Wing
Wesson Bros
3 Marshalls
Bobby Pinkus Co
5 Cardovas
ELIZABETH
Liberty (13-16)
Hickey Bros & Alli
Val Eddy
Phil Farrell 4
Toyo Co
Keaton & Armfield
FALL RIVER
Empire (11-13)
Bill Bardo Orc
Johnny Downs
Paul Nolan Co
FREEPORT
Freeport (12-15)
Helen Kane
Glenn & Jenkins
Nelson & Marsh
Roy, Lee & Kent
4 Comets
HARTFORD
State (12)
Marcus Show
Masters & Rollins
NEWARK
Adams (14-16)
Sammy Kaye Orc
Chris Cross
3 Nonchalants
Statler Twins
PATERSON
Majestic (18-20)
Crosby Sis
Gaston
Stritt & Kay
(14-17)
Tan Americana U
PHILADELPHIA
Carman (18-20)
Ferdinand
6 Marvelettes
(Two to fill)
(14-17)
3
Novelle Bros
Radio Aces
LaVere & Wars
Los Rancheros
Fay's (13)
Del Rios
Ashley & Claylon
Annette Ross
Eddie White
Eleanor Sheridan
16 Roxyettes
PITMAN, N. J.
B'way (15 only)
Luby & Harris
Gregory & Raymo
Globe Trotters
PROVIDENCE
Metropolitan
(14-16)
Rae & Waterfalls
Louis Prima Orc
Al Bernie
Royce & Vanya
Monsieur Paul
WORCESTER
Plymouth (10-1
Major Bowes U

Cabaret Bills

NEW YORK CITY

Armando's
Geo Morris Orc
Pedrito Orc
Marie Spaulding
Beachcomber
Michael Loring Orc
Sacasas Orc
Elsa Valladares
Carmen Amaya
Bill Bertolotti's
Don Sylvio Orc
Angelo Orc
Barbara La Marr
Lynn & Marianne
Elvira Carlos
Christine Curtis
Frederica
Bill's Gay 90's
Charles Strickland
Lulu Bates
Fred Bishop
Spike Harrison
Harold Willard
Harry Donnelly
Bernie Graner
Cafe Bruno
Chick Raines Orc
Gynia Gray
Anne Forrest
Threesome
Cafe Continental
Yascha Datsko
Nordstrom Sis
Alex Makofka
Patricia Wing
Rado Hurd
Irene Stanley
Cafe D'Orce
Tex Gentry
Louise Carroll
Tommy Toscano
Pat Dixon
Cafe Pierre
Gerry Morton Orc
Della Lind
Cafe Society (Midtown)
Teddy Wilson Orc
Eddie South Orc
Hazel Scott
Golden Gate 4
Ammons & Johnson
Cafe Society (Village)
Henry Allen Orc
Meade Lux Lewis
Art Tatum
Willie Bryant
Sammy Pierson
Mae Digges
Chateau Moderne
Maurice Shaw Orc
Gabriel
Bill Taylor
Dorothy Tanner
Rollin Smith
Carol Boyd
Ted Lane
Al Lentz
Tommy Baron
Club 18
G Andrews Orc
Peter Brent Orc
Hazel McNulty
Jack White
Maxine Loomis
Lillyan Dell
Pat Harrington
Frankie Hyers
Jerry Blanchard
Terry Lasky
Janet Lind
Club Gaucho
Don Miguel Orc
Currito & Coral
Marita
Fontona
Club Waikiki
Andy Iona Orc
No-Pua
Tullam
Copacabana
Nat Brandwynne Or
Juanita Juarez
Frank Marti Orc
Fernando Alvarez
Elvira Rios
Patricia Bowman
Samba Sirens
Cuban Casino
Consuelo Moreno
Don Casanova
Dinnas & Helen
Effi Dorre
Diamond Horseshoe
Noble Sissle Orc
Blanche Ring
Gilda Gray
Eddie Leonard
Julian Eltinge
Harland Dixon
Prof Lamberti
Weil Show
Horton Sparr
Dave Mallen
Herman Hyde
Sally Burrell
El Chico
Don Alberto Orc
Martinez & Antonio
Lolita Gomez
Pepe Hurtado
La Gitanilla
Maria Lopez
Los Aztecas
Famous Door
Joe Marsala Orc
Adele Girard
Bee Kalmus
Frances Carroll
Marion Eddy
Dorothy Ross
Gay White Way
Shep Fields Orc
Joan Edwards
Harris & Shore
Bob Shea
Carol King
Geraldine & Joe
Gloria Blake
Marion Miller
Jorge Negrete
Juanita Rios
Mimi Kellerman
Coley Worth
Marcia Ray
Ann Pennington
Betty Jane Smith
Gr'nw'h Village Inn
Anthony Trini Orc
Aileen Cook
Denise
Eleanor Knight
Bernice Manning
Dorita
Grace Potterson
Frank McCormick
Havana-Madrid
Froilan Maya Orc
Juanito Sanabria O
Arturo Cortez
Pepita & Lucia
Carlos Valades
Manor & Mignon
Rosita Ortega
Hickory House
Lou Holden Orc
Hotel Algonquin
Bela Bizony
Renato
Linda Lee
Baldwin Borgerson
Oscar Andree
Doodles Weaver
Hotel Astor
Dick Kuhn Orc
Sande Williams Orc
Hotel Belmont Plaza
Arthur Ravel Orc
Joe Pafumy Orc
Mishel Gorner Orc
Gwen Gary
Lucille Johnson
Moro & Chita
Belmont Balladeers
Hotel Biltmore
Orrin Tucker Orc
Bonnie Baker
Hotel Bossert (Brooklyn)
Eddie Lane Orc
Hotel Brevoort
Sam Ray
Julius Monk
Eddie Mayehoff
Norbert Faconi
Elsie Houston
Hotel Edison
Mal Hallett Orc
Madeline Gray
Hotel Essex House
Joe Reichman Orc
Gloria Martin
Hotel Lexington
Lani McIntire Orc
Aggie Auld
Napua
Momi Kai
Maleo Shaw
Hotel Lincoln
Tony Pastor Orc
Lincolnairs
Hotel McAlpin
Isham Jones Orc
Shirley Lloyd
Hotel New Yorker
Woody Herman Orc
Muriel Lane
Ice Ballet
Erna Andersen
Adele Inge
Mary Lee Bennett
John Kinney
Ronnie Roberts
Jerry Farley
Grace May
Boots Young
Hotel Park Central (Cocoanut Grove)
Buddy Clarke Orc
Jack Waldron
Harry Prince & C
Pestins & Fanchon
3 Nightingales
'Scat' Powell
Elenore Wood
Robert Roberts
Tool Traube
Hotel Pennsylvania
Jimmy Dorsey Orc
Helen O'Connell
Bob Eberle
Hotel Plaza
Dick Gasparre Orc
Chiquito Orc
Raye & Naldi
Jane Winton
Hotel Roosevelt
Guy Lombardo Orc
Hotel Savoy-Plaza
Bob Grant Orc
John Buckmaster
Hotel Shelton
Johnny Johnson Or
Hotel St. George (Brooklyn)
Dave Martin Orc
Deo Williams
Yank Porter
Hotel St. Moritz
Eddie Varzos Orc
Beauvel & Tova
Don Hooton
Lolo & Bobby
Hotel St. Regis
Hal Saunders Orc
Gus Martel Orc
Dorothy Lewis
Heasley Twins
Hazel Franklin
Hotel Taft
Frankie Masters Or
Hotel Waldorf-Astoria
Empire Room
Leighton Noble Orc
Mischa Borr Orc
Adelaide Moffett
John Wray
Hurricane
Eddie Bush Orc
Juan Costa Orc
Romo Vincent
Joan Merrill
Enrico & Novello
Winnie Hoveler Gls
Iceland Restaurant
Bobby Norris Orc
Manuel Ovando Orc
Paul Duke
Lamazar & Garvan
Iolene O'Neil
Bubby Ahearn
Phil Seed
La Conga
Jack Harris Orc
Noro Morales Orc
Adele Norella
Dacita
Town & Knott
Conchita & Worth
Teresita & Serrano
La Martinique
Roy Fox Orc
Kay Kimber
Herbert Curbello Or
Danny Kaye
Mati & Hari
Larue
Eddie Davis Orc
Joseph Smith Orc
Le Coq Rouge
Harold Nagel Orc
Oscar Day Orc
Alicia Henderson
Leon & Eddie's
Lou Martin Orc
Eddie Davis
Teddy Rodriguez
Virginia Valley
Dora Maughan
Patricia Joyce
Jackie Miles
H'wood Canines
Nilda
Clymas
Byrnes & Swanson
Mon Paris
Heywood Powers Or
Dick Wilson Orc
Eleanor French
Monte Carlo
Ted Straeter Orc
Ethel Waters
Old Roumanian
Joe La Porte Orc
Ethel Bennett
Sadie Banks
Jenia Pobedinia
Buddy Walker
Chiquita Venezia
Eli Spivack
Place Elegante
Ernest Franz Orc
Bernice Manning
Bill Farrell
Joe Ravazo
Vincent de Costa
Art Tubertini
Tino Donelli
Queen Mary
Joe Ellis Orc
Louise Bryden
Jean Walters
Roberta Welch
Baron Gyldenkron
Lou Williams
Helen Kay
Rainbow Grill
Barry Winton
Gloria Hope
Julian & Marjori
Jean Murray
Rainbow Room
Ben Cutler Orc
Keith Clark
Cappella & Beatrice
Rolly Rolls
Ruban Bleu
Nora Sheridan
Palomo
Vera Sanoff
Herman Chittison
Delta Boys
Russian Kretchma
Nicolas Matthey Or
Peter Nemiroff Orc
Olga Ivanova
Nastia Poliakova
Marusia Sava
Adia Kuznetzoff
Senia Karavaeff
Michel Michon
Mishi Uzdanoff
Arisiak Arafelova
Stork Club
Sonny Kendis Orc
Versailles
Nicholas D'Amico O
Panchito Orc
Dixie Dunbar
Milton Watson
Village Barn
Charlo & Dupree
Dan Healy
Marian Varnay
Peter Kara Orc
June Bentley
Pappy Below
Joan Murray
Sons of Purple Sage
Whirling Top
3 Tones
Ginger Wayne

BOOKING THE NATION'S LEADING INDEPENDENT VAUDEVILLE THEATRES
EDWARD SHERMAN
1619 BROADWAY NEW YORK COL. 5-0930

LOS ANGELES

Biltmore Bowl
Jimmy Castle
Dorothy Brandon
Burton Twins
Everett West
3 Dee's
Chester Dolphin
Chuck Foster Orc
Casa Manana
Ivy Anderson
Ford Jones
Mitchell Sis
Herbie Jefferies
Duke Ellington Orc
Cocoanut Grove
Billy Rayes
Bud Hughes & Pals
Freddie Martin Orc
Earl Carroll
Jimmy Durante
Buster Shaver
Olive & George
6 Debonairs
Beryl Wallace
Mary Peterbeck
Helen O'Hara
Barbara O'Drew
Reyes' Rhumba Bd
St Clair & Day
Rhumba Orc
Slate Bros
Bill Brady
Manny Strand Orc
Florentine Garden
NTG 7th Edition
Fred Scott
Marion Wilkins
Eleanor Troy
Sugar Geiss
Rio Bros
Charlie Foy's Club
Charlie Foy
Leonard Sues
George Heels
Wilma Novak
Gay Moran
Art Bernard Orc
Grace Hayes Lodge
Newell Chase
Mary Healy
Phil Moore
Harry Carroll
Neville Fleeson
Princess Michi
Peter Lind Hayes O
Grace Hayes
Rebecca Hayes
House of Murphy
Naomi Wheat
Beth Reynolds
Frankie Gallagher
Gordon Bishop
Sonia Day
Elmore White
Bob Murphy
'It' Cafe
Dorothy Landridge
Dave Forrester Orc
La Conga
Paul Neighbors Orc
Biltmorettes
Frank Cook
Red Knight
Phillip Lopez Orc
Macambo Cafe
Dinorah Rego
Humbertos Bd
Phil Ohmon's Orc
Palladium
Glenn Gray Orc
Paris Inn
Kenny Henryson
Dominic
Marg'rite & M'rtinez
Henry Monet
Helen Golden
Davey Jamison
Dorothy Heller
Helen Harrison
Maletts
Helen Miller
Chuck Henry Orc
Pirates Den
Pegleg Happeney
Susan Miller
Wally Boag
Henry Grant
Goby Lo Fitte
Black Andy
Tom Garay
Eddie Albany
Nick Cochran Orc
Scheherazade Cafe
Yascha Borowski
Gavrila
Russian Gypsy Orc
Seven Seas
Lilia Kinikona
Pualani Mathews
Jane Avelar
Johnnie Bright Orc
Somerset House
Harry Bingland
Elliott Carpenter
Lorraine Elliot
Lou Salles Orc
Swanee
Juan Flores
Juanelda Carter
Eddie Beal
Pork Chop
Topsy's
The Topsyettes
Beverly & Revel
Paul Locke
Russ Brown
Marvin Dale Orc
Wilshire Bowl
Tarlos & Masters
Phil Harris Orc

CHICAGO

Ambassador Hotel (Pump Room)
Larry Adler
Virginia Hays
Jerry Shelton Orc
Bismarck Hotel (Walnut Room)
Art Kassel Orc
Marion Holmes
Collette & Barry
Lew Hoffman
Hadley Gls
Blackhawk
Ted Flo Rito Orc
Earle Leslie
Grandfat'r's Follie
Blackstone Hotel (Balinese Rm.)
Jay Cole Orc
Brevoort Hotel (Crystal Room)
Mae King
3 Nibiles
Bob Billings
Broadmoor
Karl Wayne
Marie Young
Shirley Lucky
Connie Ostar
Pat Snyder
Doris Clayton
Herb Rudolphs Orc
Chez Paree
Lou Breese Orc
Jane Frohman
Rufe Davis
Four Franks
Juvelys
Evans Gls
Club Alabam
Charlotte Van Dae
Marion Moore
Harriot Norris
Allen Coe
Bernie Adler
Betty Hill
Inez Gambol
Effie Burton
Paulette La Pierre
Dave Unell Orc
Dorothy Dale
Eddie Roth Orc
Club Minuet
Helene Carol
Rita Ray
Alvira Morton
Ethel Brown
Fillmore Sherman
Art Fischers Orc
Del Estes
Colony Club
Sacasas Orc
Monchita Orc
Colosimos
Eddie White
Llyon Warjo
Hazel Manjean Gls
Janice Davenport
Jack Prince
F Quartell Orc
Club Delisa
Billy Mitchell
Cyclone Morgan
Billie Eckstein
De Alexander
Chippie Hill
6 Jitterbugs
Rhythm Willie
Charles Isom
Partello Gls
Red Saunders Orc
Congress Hotel (Glass Hat Rm)
Johnny Banga Orc
(Peacock Rm)
Joe Vera
Edgewater Beach Hotel (Beach Walk)
Richard Himber Orc
Dor Dorben Gls
Herb Foote
Franke's Casino
Harriet Ehrlick
Rocky Ellsworth
Billie Webb
Ann Anderson
Dick Conrad
Bob Tinsley Orc
Graemere Hotel (Glass House Rm)
Lew Story Orc
Marie Lawler
Nord Richardson
Ill Hat
Willie Shore
Jerry Bergen
Doris Robbins
Ginette Calle
Younger Gls
Eddie Fens Orc
Ivanhoe
Florence Schubert
Jerry Shelton Orc
4 Bards
Helen Sumner
L'Aiglon
Emil DeSalvi Orc
Dorothy Johnson
Arsene Siegel
Isobel de Marco
Hotel La Salle (Blue Front Room)
Kings Jesters
Ruth Milam
Liberty Inn
Karen Stephany
Marion Crawford
June La Vonne
Doullee
Jimmy O'Neil
Sunny Lovett
Earl Wiley Orc
Morrison Hotel (Boston Oyster House)
Manfred Gotthelf
New Yorker
Dolly Kay
Roy Sedley
Claire & Hudson
D'Arbour & Rene
Patsy Reed
Hoveler Gls
Arne Barnett Orc
Al Milton Orc
Old Heidelberg
Irma Cooper
Sally Sharratt
Heidelberg Octette
Heidelberg Ens
Joly Franzl Orc
Franzel Orc
Palmer House (Empire Room)
Eddie Duchin Orc
Eddy Howard
Bob Evans
Maurice & Cordoba
Perez Four
Abbott Dancers
Phil Dooley Orc
Sherman Hotel (Celtic Cafe)
Gene Kerwin Orc
Jarrett Sis
(Panther Room)
Gene Krupa Orc
Bob Zurke
Irene Daye
Chuck & Chuckles
Callahan Sis
Byton Gls
Carl Marx
Silver Cloud
Ray Martell
Peggy Parker
Shirlie Sherr
Val Max Bros
Lenore Chicagoans
Joe Gorken
Ralph Lynden Orc
Elinor Daniels
Hazel Zalus
606 Club
Billy Carr
Margret Faber Gls
Boots Burns
Irene Kaye
Jerri Vance
Jackson & Nedra
Betty Shoyne
Carrie Finnell
Barbara McDonald
Renee Andrie
Maxine De Shon
Virginia Jones
Millie Wayne
Cecil Von Dell
Margo
Jo Ann Carroll
Sol Lake Orc
Tripoli 3
Todd's Theatre-Cafe
Gypsy Rose Lee
W West & McGinty
Rola Rola
A Robins
Todd Gls
Jack Denny Orc

PHILADELPHIA

Club Ball
Alan Fielding Orc
Ball-lovelles
Alan Gale
Andrea
Marcya & Gunsett
Caryl Gould
Alfonse Garc
Juanita
Ben Franklin
Clyde Lucas Orc
Lyn Lucas
Jill Bard
Colstons
Benny, the Bum's
Morty Landis Orc
Billy Maples
Fats Atkinson
Anita Chandler
Carroll's
Charlie Gaines Orc
14 Carrollovlies
Jean Remington
Jean Dean
Wilbur Rance
Harry Lo Van
Jockie Mabely
Eadie Lang
Lucille Rond
Rance & Gordon
Club
3 Musical Strings
Harriet Hull
Margie & Ross
Vesta Victoria
Rose Venuti
Amy Organ
3 Glamour Gls
Amy Organ
Barbara Stone
Lou Ferlano
Kay Trotter
Geo Niessen
Lee Nichols
Kay Baird
Harry Smith
Ralph Sanner's Orc
Cadillac
Darlene Joies
Alan Sterling
Lloyd Monn
Lou & Evelyn
Edythe Brown
Bonnie Stewart
Cadillac Sextet
Harry Dobbs Orc
Embassy
Geo Clifford
Los Cucarachas
Nala Monteria
Ethel Harry'ra Coll
Charlotte Lamb'ton
Elizabeth Elderly
Jackie Salter
Carlos Reyes Orc
Cort Weller Orc
Evergreen Casino
Alice St John
Nitza & Ravel
Warren Phillipps
Doris Elliott
Pat Shevlin Orc
1523 Locust
Bubbles Shelby
Elaine Ellis
Emily Saunders
Elaine Block
Lorraine Rhoda
Mickey Des
Keller Sis
Kay Loverly
Perry from Erie
Little Caesar
George Sanson
Kings of Swing Orc
Gay 90's Cafe
Cecil Williams
Little Van Osborne
May Joy
Ann Fisher
Nako & Sake
Chick Williams Orc
Henri's
Dorvis & Arlette
Lou Karns
Alice Burch
(Walton Roof)
Vincent Rizzo Orc
Leona Starr
Betty Jane Cooper
Cynda Glenn
Fellcia
Glamour Gls
Helen Heath
Bob Russell
Nino Nani
Vero Niva
Lonis Murrison
Peppino & Carmen
Carlos Campus
Michael Sandina
Nell Fontaine Orc
Augusto Sanabia Or
Hotel Philadelphia (Philadelphia Rm)
Carlotta Dale
Fredrick & Dankin
Dick Wharton Orc
Jam Session
Mickey House
Micky Rogers
Dynamite Hooker
Billy Kretchmer
Teddy Walters
Hopkins'Rathskeller
Irving Braslow's Or
Foenchun & Pomille
Vera McGovern
Agnes Berry
Sunny Rae
Jeannie Van
Audrey Joyce
Singin' Sam
Latimer Club
Ann Rush
Mike Rizzo Orc
Barbara Bradley
Joanne McFarland
Joanne Sheer
Frances Lenox
Lido Venice
Harry McKay
Edith Brown
Smiles & Smiles
Lillian Fitzgerald
Cots & the Fiddle
The Novelette Gls
Don Versee Orc
Little Rathskeller
Baby Rose Marie
Shanon & Mein
Renee Villon
Du Lloyd McKay
Jan Murray
Victor Hugo
Manoa Inn
Jack Hitchinson
Edythe Sallade
Mario & De Vall
Jeanie Dale
Newell & Hutch'son
Frank Cuneo Orc
Mayo's
Gypsy Mona
Betty Marie
Lee Curtis
Gus Johnson
Joe Campo
Minstrell Tavern
Dot, King & 4 Tones
Ed McGoldrick, Sr
Sissy Loftus
Margie March
Hella Belmont
Ed McGoldrick, Jr
Park Casino
Miss Cummings
Eddie Shephord
H Cummings Orc
Lynda
Open Door Cafe
Billy Bailey
Paul Kans
Allen Wood
Billy Hughes
Joyettes
Madeline Sheridan
Rita Robert
4 Octaves
Old Covered Wagon
Walter Jeffrey
Micky Familant
Palumbo's
Wade & Wade
Chic Mullery
Kathleen May
Tony Bradley
Cocktail Gls
Howard Reynolds O
Red Hill Inn (Pennsauken, N. J.)
Slappy Swingsters
Don & Dorese
Frank Ponti
3 Peppers
Lou Boyle
Vivi Austin
Niles & Joanne
Neff Bros & Fischer
Florence Morton
Marie Latell
Dee Rogers
Dione Collier
Sid Raymond
Dolores
De Lamars
Little Van Osborne
69th St. Rathskeller
Masso Bobby Lee O
Dorothy Johnson
Evon Francis
Peggy Martin
Karl Evon
4 Black Spots
Karel & Yvonne
Pete Hayes
School House Inn
Buck Calhoun
Jean O'Neil
Leo Paige
Andy Russell
Lloyd Mann
Lonnie Little
Jimmie Venuti Orc
Silver Lake Inn
Edward & Argela
Colonel Reed
Alice Lucey
Frank Hassel Orc
Rendezvous (Hotel Senator)
4 Blues
Lee Candell
Tony Lane Trio
Hugo Klahre
Stamp's
George Marchetti O
Ann Howard
Stamp's Trio
Johnny Welsh
3 Glamour Gls
Chiquita
Dottie Winters
Helen Barrie
Helen Jerrico
Swan Club
Jack & Judy
Penn Raymond
Margy Drummond
Rulson
Morgan & Bari
Henry Patrick's Orc
Freddy Bernard
20th Century
Michael Pedicin
3 Loose Nutts
4 Men of Rhythm
Venice Grille
Eddie Thomas
Bert Lemisch Orc
Fay Wray
Warwick Hotel
Ray Morton Orc
Weber's Hof Brau Camden
Jules Flacco Orc
Curran Bligh
6 Grays
Jack Herbert & B
Signor Carmino
Pat Sullivan
Jack Smith
Dave Peterson
Syd Golden
Raths'r Eldoradians
Mia Miles Trio
Carltons
Gypsy Monya
Wilson's
Art Mathues
Marian Drew
Loretta & Navarro
Klee Ko
Sinclair &
Joe Hough
Geo Baquet Orc
Yacht Club
Searcy Gavin
De Moreos
Dolly Bruce
Jean Rice
Eddie Mathews
Mary Navis

CLEVELAND

Alpine Village
Jean Faden
Novak Sis
Bob Copfer
Carl Mueller
Otto Thurn Orc
El Dumpo
Bob Manners Orc
Rita LaGrosse
Stan Gilbert
Don Payne
Sammy Lipman
Antoinettes
Gourmet Club
E Robinson Orc
Gayle Gaylord
Freddy Heikel
Hotel Allerton
Johnny Cowgill
Hotel Carter
Thixton Sprenger
Ambassadors Orc
Hotel Cleveland
Everett Hoagland O
Margaret English
Hotel Fenway Hall
Caballeros Orc
Aurora Garcia
Hotel Sterling
Jimmy Van Osdell
Quinteros
Lester Chefetz
Hotel Hollenden
Crawford & Caskey
Walton & O'Rourke
Joey Nash
Sloan & Gary
Sorelli
Sammy Watkins Or
Hotel Statler
Jose Morand Orc
Rosalean & Seville
Virginia Ramos
Jack & Eddie's
Rubertino, Roberts
Babe Sherman
Arlene Rice Orc
La Conga Club
Ramon Arias Orc
Lindsay's Bar
Rose Murphy
Una Mae Carlisle
Pearl DeLucca
Regal Club
Ducky Malvin Orc
Thirty-Seven Club
Pat Dennis
Cunningham Sis
Jean Deltera
3 Debs

DETROIT

Book-Cadillac Hotel (Book Casino)
Fernandez & Tere'a
Bob Neller
Imogene
Morris King
Eddie Le Baron Or
(Motor Bar)
Jay Coe
Bowery
DeSimone Conga Da
Pepito
Mitchell & Rayburn
Sonia
Mildred Rock
Marlowe & King
Harvey Stone
Dan Arden Dano
Johnny King
Chas Carlisle
Benny Resh Orc
Casanova
Canzino & Ma
Camerons
Frank Wolf
Madelon Baker
Glamor Gls
Lee Walter Orc
Corktown Tavern
Hal Bronsen
Ellen Kaye
6 Vesters
Eddie Bratton Orc
Cole & Corto
Neville & Doy
Ann Lee
Don Ande
Hund's
3 Old Timers
Joey Raye Trio
London Chop House
Toola Valenti
Ruby Orc
Morocco
Carol Roth
6 Sparklettes
Mel Snyder
Will Henderson Orc
Nebiolo's
Di Giovanni
Carmen
Carlos & Chita
Guy Gibby
Leonard Seel
Northwood Inn
Duanos
Jerry Lawton
June Carmen
Diane & DeLy
Ray Carlin Orc
Olde Wayne Club
Charles Costello Orc
McColl Sis
Palm Beach
Bill Mahoney
Ramon & Delores
Cy Delmur
Orlando
Monnie Drake
Don Pablo Orc
Huck's Redford Inn
Mac McGraw Orc
Club Royale
Jack Marshall
Alice Dawn
Shayne & Armstr'ng
H'wood Co-Eds
Louise Martell
Bernard Dano
Roy Tracy
Michael Paige Orc
Saks Show Bar
Jean Blue
Floretta & Boyette
Bryant, Raines & Y
Tanya Tamara
Jay Jason

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MUSIC HALL, N. Y.

'The Last Time I Saw Paris,' by Leon Leonidoff, with Paul Haakon, Robert Shanley, George Meyer, Loren Hollenbeck, Henry Calvin, Rockettes, Choral Ensemble; 'Arizona' (Col), reviewed in VARIETY.

Some of the Music Hall's severest critics may be little less severe this week. This is because only a scrooge-hearted viper can remain unmoved in the presence of the emotional suggestions of the Kern-Hammerstein song, 'The Last Time I Saw Paris,' which is projected this week on the giant stage as a combination prolog-epilog to form a sandwich for a slice of Moulin Rouge, a sprinkling of provincial France and a glimpse of the Champs Elysees.

Poignant is the word for the song. As a springboard for a Music Hall stage show its poignancy, with the Rockettes to come, is certainly promising. And on the whole most spectators will follow the scenes warmly and be glad to accept stager Leon Leonidoff on his own terms. Strains of 'La Marseillaise' haven't lost any of their heart-tug because of what happened last June. So perhaps even Mr. Scrooge is a pushover this week. Who can hold out on Paris?

What may be more significant is that with 'The Last Time I Saw Paris' shut off the air by the music war, the songplugging aspects of the Music Hall production are underscored. Pop songs frequently have made good motif material for film house divertissments. This one is especially appropriate because it's both topical and exploitable, allowing the Music Hall to recall that in 1937 the Rockettes went to Paris to hoof themselves a Grand Prix. So there is a little polite Van Schmus ballyhoo on top of color, of music, of a story-picture in lyrics and chandeliers and of poignancy. These involved remarks may be freely translated as an enthusiastic reaction to the stage show.

The can-can is strutted by the ballet, the Rockettes parade down a fabulous staircase fading off into infinity, the choral ensemble parades on in provincial costumes (at first glimpse they look a bit German—a bit confusing!) But the whole thing makes sense, being held together by the song.

Paul Haakon has a minor opportunity but, as usual, his skill as a dancer stands out. There are several good voices heard solo. *Land.*

Star Dust and a French love song afford fine opportunity for the display of her musical talent.

The boisterousness of Sid Tomack and the two Reis Bros., which follows, provides a needed contrast to the preceding offering and makes a good snappy closer. The three boys provide the show's only fun and their lapstick mugging and knockabout tomfoolery, plus their comedy singing and dancing, meet approval. The hillbilly stuff and burlesques on ventriloquism and an oldtime vaudeville quartet cop plenty of laughs. Some of their material, however, is off-color and needs blue-penciling.

A handful of people at the first performance opening day, Friday (31). *Rees.*

MINNESOTA, MPLS.

Minneapolis, Feb. 8.
Rollie Altmeyer, House Orch (15); Jackie Heller, Consola and Melba, Bob Bromley, Anita Louise, Sid Tomack and Reis Bros. (3); 'Bowery Boy' (Rep).

This is a nifty presentation, with five first-rate acts working in front of the house band. For names there are Anita Louise and Jackie Heller, both of whom contribute much to the layout. Music, song, dancing and comedy blend agreeably and the resultant entertainment concoction stands forth as another big buy for 28c. to 6 p.m. and 39c. thereafter. How the public can pass this up here mystifies, but the fact remains it's doing so, indicating, of course, that, except in isolated cases, the screen fare almost alone counts at local boxoffices. In this instance the picture happens to be on the debit b.o. side and empty seats are the consequence, despite the diverting 60 minutes of stage performance.

Rollie Altmeyer, house organist, contributes a medley of pop numbers for a starter and then, after a film short, the stage show gets going with Heller, as emcee, taking charge. Neat staging and lighting mark the sufficiently fast and smooth presentation. The nicely uniformed house orchestra is effectively grouped on a platform flanked by steps on each side and the backdrop, suggesting Venetian blinds, adds to the visual impression.

Heller keeps things lively with his gags, stories and introductions and, as usual, sings energetically when it comes time for him to do his turn. Familiar here because of Hotel Nicollet Minnesota Terrace engagements, the attractive ballroom dance team of Consola and Melba lends plenty of class to the proceedings from the outset. Featuring fast whirls, they deliver on the hoof.

There is novelty in Bob Bromley's marionet act. A phonograph record, perfectly synchronized with the marionets' movements, provides the background. If the device were less obvious and the record not scratched the act would click even better. For a finisher Bromley has a clown perform on a trapeze high in the air, pulleys being used to manipulate the figure. It's different and considerably entertaining.

Heller, who appeared at another theatre here recently, does his customary tip-top vocal salesmanship job with such numbers as 'The Last Time I Saw Paris' and 'So You're the One.' Medleys, comprising portions of pop hits, land solidly.

The beauty of Miss Louise might be enough for many. Her harp music is pleasant and her form and graciousness completely captivate. Intriguing arrangements of 'Frenesi,'

ROXY, N. Y.

Marie Hollis, Bobby DuPont, Jeanne Brideson, The Smoothies (3), The Faludys (7), Gae Foster Girls, chorus boys, Paul Ash House Orch; 'Western Union' (20th) reviewed in VARIETY, *Feb.*

This is a mildly diverting stage show. Contains no dead spots, but at the same time it lacks a single punchy act. Nor is it improved by the staging, which isn't adapted to the requirements of the various turns. For no apparent reason, all the acts are presented on a full stage and in several cases that tends to dwarf them. Even when the Gae Foster Girls and/or the chorus boys are used to background the opening or closing of one of the turns the curtains could be closed to give the act a more intimate presentation while the ensemble is offstage.

Marie Hollis (New Acts) is the first on the bill, doing her contortions in front of the line of chorus boys. She appears lost on the vast stage and the same thing goes for all the other acts, except the Faludys (New Acts), whose teeterboard acrobatics naturally require the full stage. Latter turn, incidentally, is rather well presented, using a carnival setting and a colorful routine by the Gae Foster Girls and the boys to 'Londonderry Air' and 'Bells of St. Mary's.' Girls use a novel stunt with 'St. Mary's,' also, playing one chorus of the tune with handbells of various tones.

Jeanne Brideson makes an imposing entrance from stage rear and then plays two concert selections on the violin, using a microphone. First is a trifle long, but both contain bits of showy fingering and fiddling. The Smoothies (New Acts) do three lively numbers in their harmonizing style familiar via radio. Bob DuPont offers his standard comedy juggling act.

Entire show suffered because of the slim attendance at the dinner show caught opening night Thursday (6). *Hobe.*

EARLE, PHILLY

Philadelphia, Feb. 8.
Sammy Kaye Orch with Tommy Ryan, Jimmy Brown, Arthur Wright, Chris Cross, Statler Twins, Kadets (3), Nonchalants (3); 'Six Lessons from Madame Lazonga' (U).

Sammy Kaye's novel stunt, 'So You Want to Lead a Band,' is bringing in the customers in droves, and the results are hilarious.

Especially rib-tickling is the impromptu interviewing of the amateur baton-wavers. At show caught the would-be maestros included a plumbing supply salesman with an accent; a pants presser; a girl secretary and a girl who worked in a toilet-tissue factory.

The bandsmen add to the fun by assiduously following the eccentric batoneering of the amateurs with weird results. Contestants are given a recording of the labors and winners are eligible for the finals in the contest to be waged at the closing show Thursday night.

Kaye's crew also features a well-rounded show on its own, with plenty of novel innovations, including backdrops for different-type numbers and trick lighting effects.

Opener for the band is 'Ain't We Got Fun', with vocals by the Kadets. Tommy Ryan, tenor fave of the jukebox trade, is clicko with 'Pretty Baby' and 'Ferryboat Serenade' on his first appearance. He returns midway in show for three more numbers, all well liked, 'Nightingale in Berkley Square,' 'Beguine' and 'My Buddy.' Other vocalist is Jimmy Brown, who baritones 'Five O'Clock Whistle' and 'Beat Me Daddy,' also well received.

Chris Cross's ventriloquism act, aided by a couple of expressive woodenheads and trick lighting, goes over neatly. Act got plenty of palm-thumping and Cross had trouble bowing off when caught.

Also rating tops with the pewholders are the Nonchalants—three knockabout acrobats who combine their stunts with rapid-fire patter that's really funny.

The Statler Twins, blonde eyefuls, are standard hoofers. They do a fair tap and front the band in a conga number, which also features trick-lighted maracas. Arthur Wright does okay vocaling 'Last Time I Saw Paris.'

Kaye handles the show and the amateur conductor stunt handily. House was capacity-filled at catching (Saturday afternoon). *Shal.*

STATE, N. Y.

Johnny McGee Orch with Harrison Sisters (3), Alan Gerard, Del Rios (3), Eunice Healey, Joan Merrill, Diamond Bros. (3); 'Flight Command' (M-G).

The State this week has a solid lineup of talent with the exception of the Johnny McGee band, which not only handles tunes sloppily on its own, but shades the effectiveness of accompanying turns which depend on accurate musical backgrounding. Act most injured by McGee's rhythm setting is the dancing of Eunice Healey; singer Joan Merrill's trilling doesn't suffer as much.

McGee is still avoiding a definite style. His muted, sweet trumpeting should bellwether all his arrangements, yet he persists in making mediocre reaches for such sizzlers as 'Beat Me Daddy' and 'One o'Clock Jump.' Musicianship in his band simply isn't geared for such stuff and it became painfully apparent at times during this runoff. Sweet stuff built around his horn should be his forte. Band gives the impression that it's groping in the dark for something to which it can tie its kite. Leader's horn is a better ballast than some other outfits now have. McGee himself has improved considerably as a m.c., but he still is far short of being at ease when not playing.

Harrison Sisters, part of the band, are weak. Their harmonizing lacks an arranger's touch and the blend of voices is unsatisfying and monotonous, especially in one of the two tunes they use here, a piece tagged 'Five Guys Named Moe.' Alan Gerard does much better with 'Dream Valley' and 'Nightingale Sang in Berkeley Square.'

Del Rios' crack routine of balancing, much different and far above the level of stunts used by the average act of this type, goes over handily. Two fellows and girl work smoothly and surely on difficult balances, capping things with an audience-pleasing three high using the girl on the shoulders of the understander, second boy doing a handstand from her hips.

Miss Healey's tapping is fresh from Al Jolson's darkened 'Hold On to Your Hats.' She had too much trouble, at this catching, with accompaniments to be as effective as she should have been, but got off nicely enough regardless. Background is much too loud to follow her heel and toe work. However, that's not entirely the fault of the band. Mikes set up in front of the group are open. Dancer does two smooth and smartly routined bits, one she used in Jolson's show.

Few of the femme singers now breaking through have as bright a future as Miss Merrill. An Al Siegel protege, working with his accompaniment the last time she played this house, Miss Merrill is doing this date alone. Customers didn't want to let her throaty pipes rest a minute at this show, going for four tunes hook, line and sinker. She handles each in clear voice packed with appeal. She hits difficult and sustained notes with no trouble. 'Just One of Those Things,' her opener, is a waste of time from a musical standpoint. 'How Did He Look,' 'It Must Be the Latin in Me' and 'Summertime' follow.

Diamond Bros. wind up the 65-minute show in a burst of whacky walloping of each other. Trying to enumerate what they do is almost as difficult as trying to follow some of it. Things happen fast when they're on and almost all of it is surefire in laugh content. Trio finish off in fast, unison terps. Fine turn. *Wood.*

CHICAGO, CHI

Chicago, Feb. 8.
Gene Krupa Orch (16), with Irene Day, Joey Rardin, Chuck and Chuckles, Andrews Sisters (3); 'Four Mothers' (WB).

Plenty of coin in the register this week with a healthy trio of money-magnets inside the house. And probably the best of lot, according to the applause-meter, is the Andrews Sisters' trio. Received an ovation on their entrance and then went on to tie up the proceedings with sock session of vocal rhythmics.

With their flicker rep rapidly building them even above the high mark of their radio and recording status, this threesome is a boxoffice and entertainment natural. They walloped 'em here, and deservedly so, for there is no trio anywhere comparable with these girls. They have a tonsil flavor that is outstanding and unique, and a method of selling a song that must satisfy all types of audiences.

Krupa and his orchestra moved in here after a long session in the basement of the Sherman house, so their presence here doesn't rate as any local novelty. They come up, however, with a highly pleasing musical routine. Krupa's band is well-founded, solid on the brass and full in body. Leader is developing personally as a showman, handling himself and the orchestra with a neat flair. At the drums Krupa is not only showmanly but a surefire workman, and particularly scores with the 'Blue Rhythm Fantasy' number, based on jungle drum-banging.

Femme vocalist with the band is Irene Day who doesn't distinguish herself.

Chuck and Chuckles are typical indigo hoofers and clowners. They have an easy manner of moving from one bit to another, and do well. Joey Rardin is a pint-sized performer who imitates auto horns and does a dramatic impression of James Cagney, whom he resembles in miniature. Rardin has a good manner on the stage and indicates a stage presence which is forceful and possessive. With material Rardin could be a quality entertainment item. *Gold.*

FLATBUSH, B'KLYN

Johnny Long Orch (13), H. L. Shockey, Bob Houston, Helen Young, Bill Robinson, Pat Henning & Co. (2), Hollywood Blondes (4), Jack McCoy; Shorts and Newsreels.

This is the initial theatre engagement for Johnny Long's band, and the way the crowd here went for his outfit indicates there will be plenty of additional such dates. His compact crew shares top honors with Bill Robinson.

Long is a southpaw violinist, a former collegian from Duke, and brings a gob of the college zest along with him. Serves okay, too, as m.c. for whole show. Confines most of his efforts to ear-pleasing sweet tempos but swings out on one selection, 'One O'clock Jump.' He features only H. L. Shockey among the band instrumentalists, latter doing slick trumpeting of 'Ida.'

Of his singers, Helen Young is spotlighted, with Bob Houston a close second in importance. Femme has been with crew for some time and possesses a smooth, distinct style of delivery which clicks neatly on rhythm tunes. Her best contributions are 'Moon Glow' and 'Don't Let It Get You Down,' latter with clever assistance from orchestra's glee club. Houston tees off with 'A Nightingale Sang in Berkeley Square' and was forced to two encores; 'I Hear a Rhapsody' and 'May I Never Love Again.' Lad has the pipes.

Long smartly curtails his ace violin 'tint to 'Poor Butterfly,' a cleanup. Band goes over neatly on 'Shanty in Old Shanty Town,' including arrangements to show how other name bands would play it. An old novelty with the outfit, but slick.

Robinson is popular as ever. He softshoes 'Tea for Two' and 'I'm Taking My Time' at outset. Still has the conception of how he would dance 40 years from now, and finally has to beg off.

Pat Henning, with Betty Raye as a comely stooge, garners maximum returns with his screwball comedy-dancing turn. Still uses the guitar for an abrupt solo but it is the unexpectedness of gags and swift pace which makes the act jell so well.

Hollywood Blondes (New Acts) put over the deuce spot with the fast roller skating. Latter are not to be confused with a yesteryear song and dance turn of the same name. Jack McCoy, pantomimic, has not changed his original pattern since caught in New York recently. His imitations of a high school freshman at his first dance, then a year later, followed by the college freshman's first date, scored heavily. *Wear.*

EMBASSY, N. Y.

(NEWSREELS)

That man Willkie. If ever there was anything indicative of a political builder-upper, that factor is emphasized on this week's bill at the Embassy, where the defeated Republican nominee for the presidency is on view in various phases of activity during his looksee in London. Seldom has a defeated presidential candidate remained so prominently in the spotlight. Would this be an omen, perhaps, for 1944? And on a Democratic ticket? The almost-complete accord manifested by Willkie with the policies of the New Deal would suggest such a turn.

Considerable material is devoted to Willkie. There's the Hoosier in an underground shelter talking to the occupants, a helmet on his head; Willkie tossing darts and drinking in a London pub; Willkie and Churchill, Willkie and Bevin, etc., all suggesting in no uncertain terms, as have the recent news headlines relevant to his activities, the appeal that Willkie is possibly making for mass public recognition on two continents. All timely, and the result achieves the desired effect.

Next in the order of importance are the reels showing the smashing victories registered by the British in Africa against the Italians, with the thousands of Italian prisoners as testimony to the powerhouse land attack of the British. Par and Metro share the African clips.

Rest of the reels are humdrum, with the President's Birthday ball (Fox) outstanding among them. President Roosevelt, of course, contributes his usual 'thank-you speech for the nation's contributions to the infantile paralysis campaign.

An interesting March of Time, 'Uncle Sam—The Non-Belligerent,' is a timely link to the straight news reportage of the international situation. *Naka.*

STRAND, N. Y.

Ray Noble Orch with Larry Stewart and Lynn, Lee and Lou; Yvette, George Tapps, Joe and Jane McKenna; 'Honeymoon for Three' (WB), reviewed in current issue of VARIETY.

Ray Noble's band, which has something of the class touch that grooves it for better hotels and cafes, forms a solid foundation for this week's stage show, talent on which, in addition to Noble's own people, includes Yvette, Joe and Jane McKenna and George Tapps. There's a lot of substantial entertainment on the show, but it runs a bit too long, 73 minutes. An even hour should be sufficient.

Noble was lately at the Palmer House, Chicago, for a lengthy spell. On the dignified side and conducting without fanfare, he's in a cutaway while his 15 men, none of whom gets unwieldy, are in tuxes. Band thus is considerable of a switch from most others, but it can get hot and loudish just the same. Especially at the end does it give out on the brass, perhaps a little too much.

Finishing stint, an arrangement of 'Hand Me Down My Walking Cane,' plus a session on Noble compositions, with the bandleader at the piano, could be cut a few minutes. It embraces various bits, including a vocal by three lads from the orchestra; others feature sections of the band instrumentally, Lynn, Lee and Lou in additional vocaling and still more voice-giving by Larry Stewart. The Lynn-Lee-Lou harmony trio of girls and Stewart are carried by the band.

Latter two turns are on early. Threesome follows the opening band number of 'Frenesi,' singing 'Five O'Clock Whistle,' with a trombonist from the orchestra downstage with them as a factory worker. Stewart opens on a pop that could be better done but his 'Down Argentina Way' represents a vast improvement; he could do more after that, but show is long anyway.

A very diverting interlude brings out Lynn, Lee and Lou as Japanese singing a number from 'The Mikado,' followed by three members of the band travestying it vocally. In addition to a hot swing number preceding this, Noble has a very socky arrangement of George Gershwin numbers in which various cogs of his band are featured.

Tapps is on ahead of Yvette, clicking big. His routines include a swank novelty softshoe tap, a native Spanish dance (excellent), a comical interpretation of an old-fashioned vaude dancer and a fancy rhumba.

The vivacious Yvette, a blonde with a refreshing style, is doubling from the Empire Room of the Waldorf-Astoria and also is on the Camel cigaret airer. She opens with a number that is part English and part French. Follow-up is 'Last Time I Saw Paris' and that is also well sold except for the diction. A bit in French is thrown into the tune. 'Just Like Love' is on the hotter blues side while for a closer a song from 'Strawberry Blonde' (WB), next picture for the house, acts partly as a trailer for that pic, but cutely done by Yvette.

The McKennas land strongly with their wacky comedy, falls, clowning, etc. A terrific laugh-getter. Joe McKenna's drunk is a pip while the comedy adagio closing is also extremely funny.

Harry Gourfain has given the show nice staging. Lighting for the sesh that features Noble songs is especially good.

Biz good on night caught (Friday). *Char.*

TOWER, K. C.

Kansas City, Feb. 8.
Clyde McCoy Orch with Bennett Sisters (3) and Dick Lee; Sammy Campbell, Charlene Williams, Lester Harding, House Line; 'Romance of the Rio Grande' (20th).

In an appearance here about a year ago the McCoy organization was a definite success, and this repeat is likewise well received. The show is neatly and compactly delivered in 40 minutes, with no performer allowed to wear himself out and the audience carried from one good entertainment bit swiftly to the next.

Since the 30c. top admission limit prohibits the booming grosses necessary for the very top bands, the McCoy name means considerable here, as his type of good, but not extremely expensive, entertaining is a natural under this policy. The leader is confining his work strictly to theatre dates until the ASCAP-BMI feud is armisticed, and consequently his program is largely old faves and tunes with whose rep McCoy is generally associated.

The opener is a torrid 'Tear It Down,' with Chet Lanz giving specialty work on his sax, and the follow-up is 'Mme La Zonga,' the Bennett trio at the mike and back for an encore on 'Rhumboogie.' It's a fast and rhythmic start, and the line keeps the pace, though not the rhythm, in neat costumes gliding to 'The Skaters' Waltz.' Sammy Campbell, a single, standard act, puts his

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Unit Reviews

TAN MANHATTAN

All colored revue produced by Irvin C. Miller. Music, Eubie Blake; lyrics, Andy Razaf. At the Apollo, N. Y., week of Feb. 7, 1941.
Cast: Flournoy Miller, Nina Mae McKinney, Sally Gooding, John Vigal, Avon Long, Evelyn Keyes, Winnie Johnson, Alma Hubbard, Creighton Thompson, Slimbo Jenkins, Louis Douglas, Walter Moseby, Vocal Chorus (10), Chorus (12 girls, six boys), showgirls (0).

'Tan Manhattan' is nifty entertainment, but not definite enough to its aim. Generally, it comes closest to resembling a Broadway revue of the 'Blackbirds' variety, but obviously isn't strong enough in its present form for such a future. On the other hand, it's too expensive and not angled right for the Apollo in Harlem, its present home, or the Howard, Washington, where it played a 10-day opening engagement. It needs much speeding and more blatancy for the standard Negro vaude audience. Which leaves its future vague.

Eubie Blake has provided an excellent score, with a number of equally good lyrics by Andy Razaf. Blake will be remembered for his tunes for 'Shuffle Along,' yesteryear Broadway musical for which Noble Sissle provided lyrics ('Wild About Harry,' etc.). Another echo of 'Shuffle Along' is comic Flournoy Miller in the cast of 'Tan Manhattan.' Miller was in the 1933 revival of 'Shuffle' and also the click 1921 original. Razaf is the co-author of 'Honeysuckle Rose,' among other tunes.

Major shortcoming in the way of making the revue a serious entry for Broadway consideration is the lack of comedy. All the skits except a rhyme-pattered courtroom scene—which is pip—fall flat. Even Miller's fine ability as a comic (John Vigal straights) can't overcome complete lack of material. Production is also shoddy in the way of timing and routining to cover the stage waits, but needs only minor doctoring. Some of the costumes need the same, while the sets, as a whole, are good. Some showman might find in the revue a strong jumping-off place for a hit with a modest investment. As pared at the Apollo, show runs 90 minutes, but as originally planned, played two and a half hours.

Stirring finale tops the presentation, a tune with a race angle anent the Army's failure to call an equal proportion of Negro draftees to white and its segregation of them in special regiments. It's labeled 'We Are Americans, Too' and ranks in its way with 'God Bless America.' Walter Moseby sings it a bit too strenuously.

Other standouts, aside from the courtroom number (reminiscent of Gilbert and Sullivan's 'Trial by Jury') in which Vigal, Nina Mae McKinley and Louis Douglas are principals, are Sally Gooding's warbling and Slimbo Jenkins' terping. Miss McKinney, who is starred, gets too much tear in her voice in a nice tune, 'Say Hello to the Folks Back Home,' and gets overly dramatic in a bad encore, 'Nickel for a Dime.'

High standard of femme beauty in chorus, showgirls and some of the principals is another asset, and is reminiscent of some of the lookers who used to populate the shows at the Cotton Club, N. Y. Tops among the pretties is Winnie Johnson, who dances to the singing of Avon Long. Line routines have the usual abandon and lack of precision of colored shows but click on the enthusiasm. Half-dozen chorus boys are topnotch terpers, incidentally. Vocal chorus gets only minor opportunity to work but is strong. Other vocalizing is handled by Alma Hubbard and Creighton Thompson. Evelyn Keyes does a single tap number with pleasing ease.

Blake batons in the pit. *Herb.*

Oomph In Swingtime

(BROADWAY, CHARLOTTE, N. C.)

Charlotte, N. C., Feb. 7.

Fifi D'Orsay, Lee Dixon, Williams Bros. and Marie Bartell, Jack Horner, Ann Dupont and band (10); Charter Pilot (20th).

'Oomph in Swingtime' is sold chiefly on the strength of the names of Fifi D'Orsay and Lee Dixon, and both give good accounts of themselves.

Minus line, show opens with Jack Horner's marionet act, in which he proves himself a deft string-puller in a standard puppet act. He is followed by the Ritz brotherish Williams Bros. in a drunk turn with a manikin, Marie Bartell. The three give a demonstration of solid comic adagio that registers strong. Miss Bartell takes an awful manhandling from her partners as they get warmed up and toss her around plenty, but she seems to enjoy it.

Ann Dupont takes over at this juncture and puts band through three numbers heavy on swing. She turns in a hot clarinet on 'I've Got Rhythm' and the band gets in plenty of solid licks on 'Beat Me Daddy,' and 'Cherokee.'

Dixon, who emcees, comes on here for a song and dance, and gives the audience a nifty exhibition of big-league tapping. He's unusually agile and nimble for a big fellow and gives out with some tricky tapping on two numbers, although this audience would have liked more. He handles show nicely and his easy-going manner registers high.

Miss D'Orsay is on for about 20 minutes and ably demonstrates that she has lost none of her showmanship. Her best bit is her touchy rendition of 'My Man,' but the audience went strongest for her hot mama routine. After a buildup through a couple of songs in the come-hither manner, Miss D'Orsay panicked this house by going down into the audience and kissing an elderly codger. One young man, thinking she was heading for him, got up and fled (stooge?).

She also sings 'Oh Johnny,' 'Hold Tight,' and 'Flat Foot Floogie' in her inimitable French style, and then winds up with a Scotch medley in a would-be Scotch brogue. Her French is best. Miss D'Orsay goes strong on innuendo and thigh-displaying and the crowd ate it up. She dominates the stage from the moment she walks on it with her zest and vivacity and had the crowd eating out of her hand.

Biz good on show caught. *Just.*

Stars Over Hollywood

(LYRIC, INDPLS.)

Indianapolis, Feb. 7.

Simone Simon, Eddie Foy, Jr., Dorothea Kent, Shirley Deane, Roy Rogers, Mercer Brothers, Melody Men, Zerby and Wiere, Jack Henry; Glamour Girls (10); 'Honeymoon for Three' (WB).

Playing its first date, 'Stars Over Hollywood' has Simone Simon, Eddie Foy and Dorothea Kent from the film capital to lend proof to the label, and with them a company of added acts and line of 10 girls who work through the bill presented in revue style.

As usual with such shows, Hollywood names are the berries on the shortcake, with Miss Simon appearing only in one spot to sing in native French accent three ditties, 'Isn't That Just Like Love,' 'Last Time I Saw Paris' and 'Latins Know How.' Most of the femme work is turned over to Shirley Deane, who sings, dances, and helps out in the skits.

Eddie Foy, Jr., appears in two spots, near the opening with Shirley Deane in a takeoff on Nelson Eddy and Jeanette MacDonald, followed by a solo eccentric dance. Later, he comes back to give an impression of his father doing his well known song, 'He Goes To Church On Sunday,' following with a Foy, Sr. imitation.

Foy is well-equipped to handle the comedy, but that job is given over to Roy Rogers (not the cowboy film star of the same name). Rogers is not much of a comedian when out of his element, which is acro tumbling, but he gets laughs out of eating flowers, parts of his shirt and goldfish. He is assisted in his skits by Miss Kent, who does nothing else in the way of entertainment. Her best bit is a baby scene with Rogers in infant attire when they discuss maternity matters, a little blue for family audiences.

Show opens with a 'Hollywood premiere,' ensemble singing special lyrics written for 'Stars Over Hollywood.' Line then goes into dance, followed by Zerby and Wiere in a ballroom-specialty. Mercer Brothers then do a burlesque of tango, with one of the boys in femme attire. Line appears later in Spanish costumes to do its routines with vocal accompaniment by Melody Men, a male quartet. Mercer Brothers follow with taps. Miss Deane and the Mercers join forces down in bill with trio unison dancing, while the Melody Men sing 'I'm On the Shelf,' followed by line number. A singer gets a spot of his own way from the Melody Men quartet later to do 'Thine Alone,' and is then joined on a park bench by Miss Deane for some comedy bits including Rogers and Foy.

Guest this week from WFBM 'Talent Parade' is Jack Henry, who does okay by 'You Walk By.' At show caught he had his own gang in the audience and won a terrific salvo before he even started, and almost stopped the show when he finished. Has nice pipes and with a little polishing would be valuable as vocalist for a pop orchestra.

Show closes with Mardi Gras, entire company being on stage for curtain. Zerby and Wiere do a ballet number which is liked, with girl wearing a handful of beads for costume. After line finishes, principals walk on for hand.

Show is nicely costumed, with all scenes colorful. Running time of 60 minutes moves swiftly, but show will need a little more rehearsal and routining before getting into the sock class.

Melody Men were off key several times at show caught. Line had trouble keeping together. And Foy should be given more material, for comedy was the lacking ingredient at the break-in. Troupe had only a few days' rehearsal before opening so it's reasonable to assume that these faults will be corrected as time ticks on.

Biz good at fourth show Friday (7), opening day, with lower floor and upper deck almost full. *Kiley.*

TROPICAL FOLLIES

(CAPITOL, ATLANTA)

Atlanta, Feb. 7.

Ullaine Malloy, Carmencita, The Four Clovers, Jimea and Co., Violet Carlson, Roy Cook, Don Galvin House Orch, 'San Francisco Docks' (U).

'Tropical Follies' is the title of this unit, but aside from the costumes and music for the production numbers the banana boat atmosphere isn't carried out.

Unit opens with a line of fresh-looking, handsome gals (8) handling a kindergarten rhumba routine with lots of energy and vivacity. Doesn't click, nor does any of the production numbers although costumes are changed for each appearance and are good to look at. The routines are all simple and too long. There really isn't any reason for the line at all except to prove that there are that many damsels in the show and to kill time for prop changes.

Ullaine Malloy works hard to wake up the audience with her high trapeze and ring stint but doesn't make it. Nothwithstanding the meagre reception, the gal is okay and her stuff dangerous. Clos s the act with 100 revolutions on the high trapeze. Bar is across her back and through her linked elbows. One roll of the drum with a crash of cymbals as she completes the 100th turn might add to her finale. As is, she spins around in dead silence and it gets monotonous.

The line reappears while Carmencita dances. Does conga fast and gracefully, possesses plenty of savoir faire, is easy to look at and her routine is tricky. Audience warmed slightly.

Something was haywire with the next act, The Four Clovers. Audience sensed it. There were only two, and while they put on a dandy little two-man springboard show with as much comedy as bigger acts of this nature handle, something was lacking. The two Clovers worked hard, however, and the audience was appreciative. Gumshoe work later located the missing sparkplug. One of the Clovers missed on timing a week ago and broke his leg. The other, feeling responsible, is said to have suffered breakdown. Remaining two have patched up what they could and are carrying on the act. They'll make it.

Don Galvin, who emcees and fronts the orch, sings, cracks wise and plays guitar creditably. Doesn't go over, probably because the unit hitched to his guitar is amplified too high. Noise was deafening, drowning out entire band. Production number next for a jitterbug stint.

Jimea and Co. (2) is one of the slickest manipulators to appear in these parts. In top hat, tails, etc, nary a word all during the act, he starts with some topflight card manipulation, then goes into cigaret routine, etc. The 'and co.' is a good looking femme aide.

Girls (8) come back with a fiesta routine which is floppo. Violet Carlson lives up to her advance notices as a comedienne. A veteran of many years, she's a mite, does her impression of grand opera in good voice, halting at end of each measure to wise crack or hit sour offkey. Also burlesques standard dances. Goes over.

Roy Cook appears late in Miss Carlson's act as her dancing partner, stooging for the diminutive firecracker in being generally 'mauled' by her.

Biz just medium on night caught (7), but then Friday is a bugaboo for managers in every Atlanta house. Running time of the unit, 53 minutes. *Jim.*

$5 Per Strip

Continued from page 1

the lace obstacles as per the usual custom.

Gal answered by pulling out her $35-a-week AGVA contract, which manager hadn't read closely enough when signing it, and pointing out this new clause: 'For taking off brassiere, dancer must receive $5 extra.'

'This will practically bust up my business,' moaned Hathaway to reporters.

New Type of Strip

New Orleans, Feb. 11.

The newest 'strip act' in the French Quarter here is a burly police captain, who is giving the nitery operators something to worry about—he is stripping their places of all suggestive pictures.

Captain James Cripps, hardboiled vice-buster who commands the third precinct, issued instructions to all of his men Saturday (8) to remove photographs of 'what the customer may expect to find on the inside.'

House Reviews

Continued from page 40

TOWER, K. C.

dusky frame through some fast terps centered about a one-foot-on-a chair stunt.

Then it's back to the orch for some welcome ballad baritoning by Dick Lee on 'Trade Winds,' 'You Walked By' and 'Million Dreams Ago,' all done acceptably. Bennetts return to contribute a military tap that hits the mood of the day. An aid to the bill this week is Charlene Williams, tiny amateur-night winner, singing and terping a novelty, 'Sadie Hawkins Day,' appropriate for a four or five-year old. Lester Harding's solid bit is a medley trio from 'The Student Prince' and his baritone is in usual good form. Line swings a highland fling to 'Loch Lomond' and Bob Nelson at the piano is featured in 'Little Rock Getaway' following.

Closing moments are devoted to McCoy's specialties, beginning with 'Bugles in the Sky,' in which the whole company backs the leader, and the expected 'Sugar Blues' trumpeting draws an encore. For this McCoy goes to imitating Henry Busse's 'When Day Is Done' to his own disadvantage rather than giving the customers another of his own well-known arrangements, such as 'I Want My Mom.' A brief conga is done by the Bennetts with band-member partners as the finale.

Biz was up from the opening show and house will see one of its outstanding weeks of the year. *Quin.*

ORPHEUM, MPLS.

Minneapolis, Feb. 8.

House Orch (14), Tom Martin; Christiani Troupe (6), Lathrop Bros. and Lee (3), Rube Davis, Kitty Carlisle, Ben Blue and Co. (4); 'Flight Command' (M-G).

Back by Robert Taylor in 'Flight Command' on the screen, a hefty attraction in its own right, this five-act presentation represents another Orpheum excursion into entertainment generosity.

Several names and an abundance of genuine supporting topnotch talent should keep the turnstiles swinging, with Kitty Carlisle, Ben Blue and Rufe Davis setting the name pace along with Taylor on the screen.

As Blue and Davis cavort merrily, comedy has a couple of big innings, but there's sufficient diversity, too. A flash setting has been provided for the house orchestra working on the stage where a movable band platform is used effectively. Tom Martin suavely m.c.s as well as being a skillful sleight-of-hander.

Show gets off to a fast and thrilling start with the Christiani troupe, five men and a woman, whose daring acrobatics, tumbling, cartwheels and somersaults keep the customers in constant excitement.

Lathrop Bros. and Lee, two men and a girl, present a natty appearance and please with their precision and individual taps. After a considerable absence, Davis is back with his rube comedy and singing. His imitations of various sounds, done with comedy effects, and his whistling and clowning pay off in laugh dividends. He finishes strongly with an impression of Donald Duck singing 'Hold Tight.'

Stunning Kitty Carlisle holds the customers enthralled with her striking brunet looks as well as her stirring vocalizing. She puts dramatic fire into 'There'll Always Be An England' to make it thrilling. A medley of waltz tunes and 'At the Balalaika' also are done with spirit, showing off her splendid voice to advantage. 'My Wild Irish Rose' is an encore clincher.

As usual, Blue's eccentric dancing and idiotic expressions are riotous. But he wastes valuable time with a comedy skit involving a dancehall hostess. This not only isn't funny, but much of the business and many of the lines aren't suitable for the family trade. The same goes for some of his gags and stories. He's too good a comic to need off-color material. A girl and two men act as foils for him and the girl and one of the men join him in his familiar, very funny burlesque minuet. *Rees.*

KEITH'S BOSTON

Boston, Feb. 8.

Bill Bardo Orch (13) with Orey Pesa, Maxim Handy, Esther Todd; Masters and Rollins; 'Remedy for Riches' (RKO) and 'Caught in the Act' (Prod).

Band shows have been seen here intermittently this season and Bill Bardo's offering shapes up as better than average. Even so, the whole affair might carry more punch if the orchestra's session were condensed and three, instead of one, vaude acts booked for support. In the present lineup Masters and Rollins provide the only actual vaudeville, coming on late for their funny hokum skit focusing upon the gruesome contortions of Miss Rollins. Masters, solo, gets off fairly entertaining hoofing which is aimed to impersonate Karloff, Chaney, a machine and a jockey riding into a finish. By the time this duo appear the customers are so hungry for variety that they take everything they've got and ask for more. Impression of Mrs. Roosevelt by Miss Rollins is the encore.

Bardo's band is hot, solid and spirited, giving the impression that the boys are going places. Bardo himself provides a satisfactory front for the outfit with his announcements, and his fiddle soloing furnishes a change of pace now and then.

Orch goes in for quite a bit of comedy, handled mainly by the vocal quartet, and the ace offering in this department is its 'WPA.' Lightly ribbing the shovel-loaning s t, quartet do a neat job of it and demonstrate their ability to skate over thin ice without offending. Fairly funny is a screwy military comedy skit featuring Marvin Handy.

Orey Pesa, guitarist, is featured soloist doing 'Nobody's Baby' and 'Frenesi.' With the help of the three trumpet players he also sings 'Baby' and 'Frenesi.' The trumpeters also back him on the ditty for 'Toot That Trumpet' and this specialty becomes a standout in the show when the boys give out brief impressions of Busse, McCoy, Beiderbeck and the triple-tonguing Heidt trumpet section.

Esther Todd, vocalist, sells 'Mexican Magic' with a showmanly touch that sustains interest early in the bill, then appears later for a medley of old pops including 'Don't Know Why I Love You,' 'Got Me Cryin' Again' and 'I Love You.'

Band gets a swell start with a nifty arrangement of 'Blue Skies,' played fast and hot, but the ace offering is a medley of excerpts from George Gershwin's 'Porgy and Bess' with vocal and instrumental features. As a glee club the bandsmen deliver a humming-singing version of 'Sylvia' that's fair. Jesse Vance, billed as a 'noted Irish tenor,' does 'Did Your Mother Come from Ireland.' Apparently many vaude and band acts think that Boston is nuts about Irish songs. Boston likes good singing and it takes a whale of a good singer to make 'em listen long to any Irish number. Vance is not that type. *Fox.*

New Acts in Theatres

HOLLYWOOD BLONDES (4)
Roller Skaters
6 Mins.
Flatbush, Brooklyn

Novelty of this act is that the four skaters are all blondes and lookers, yet doing all the accepted tricks. Quartet work on a small mat, with most of stunts done in pairs. Only time this routine changes is when a third girl balances herself between two revolving skaters.

Feat of one girl hanging by one skate from the neck of the whirling skater, and another pair doing a swing close to the floor, climaxes the turn. Foursome are neatly garbed in abbreviated white outfits. Adequate for opening spots. *Wear.*

MARIE HOLLIS
Contortionist
7 Mins.; Full
Roxy, N. Y.

Pretty much the usual tangle of arms, legs and body is provided by this contortion-acro dancer. Marie Hollis, blonde and wearing a brick-red getup, does her stuff as the house chorus boys stand in a line across the stage. Lads also do a mild tap bit before and after her human knots.

Besides the customary leg split as she stands on her hands or elbows, Miss Hollis finales with a string of fast turnovers, gradually moving backward across the stage as she does it. Okay. *Hobe.*

FALUDYS (7)
Acrobats
10 Mins.; Full
Roxy, N. Y.

The Faludys, six men and a gal (latter for decoration), do the familiar stunts of balance-pyramiding, teeter board gymnastics, etc., with only one novel trick, which they save for the finale. It involves a blindfolded member of the troupe being somersaulted from a teeter-board to a four-high catch.

Possibly the act is composed of veterans from other similar turns. Anyway, it appears to have been around for some time. *Hobe.*

SMOOTHIES (3)
Songs
8 Mins.
Roxy, N. Y.

Known to radio, currently being regulars on the Burns and Allen program, the Smoothies, harmonizing mixed trio, get by with three numbers here. Their style stresses rhythm, emphasizing certain beats in each line and getting a moderate amount of bounce into their stuff.

Fair reception at dinner show Thursday (6) night. *Hobe.*

Serlin's Feud With UBO Cues Direct Booking of 'Father' in Cass, Detroit

'Life with Father,' probably the Chicago company, is booked to open at the Cass, Detroit, June 2 and is expected to remain there through the summer. Booking was arranged by Oscar Serlin, show's producer, who is among the independent showmen who favor the formation of a new booking exchange which would oppose the Erlanger-Shubert United Booking Office. Stated the UBO did not figure in the Detroit arrangement, although the Cass has been supplied by attractions from that source exclusively for years.

Serlin has been battling the UBO, as shown when he leased the Blackstone, Chicago, where 'Father' celebrates a year's run there Saturday (15), and soon afterwards rented the Repertory in Boston, declining the terms offered by UBO. More recently he leased the Walnut, Philadelphia, soon to house the Boston company. Original company is still playing the Empire, N. Y., and is likely to stay through next summer.

Understood that Serlin offered 'Father' for UBO road bookings next season. Reported, however, that the booking outfit demanded 2% of the company share and in exchange would give the show the UBO's top terms. Percentage of the company share was regarded as a penalty because Serlin leased houses in Chicago, the Hub and Philly instead of allowing UBO to handle the show on sharing terms with its theatres. Claimed the UBO thereby tried to obtain duplicate booking fees, as the custom is for the theatre to pay 5% of its share.

Telegraphic offer of booking is said to have been received by Serlin from a dozen theatres usually booked by UBO. There are a flock of houses in various stands operated by picture interests ready to berth 'Father,' in the event that local managers string along only with UBO, which is unlikely.

"There is no indicated split between UBO and the Cass. Theatre management evidently booked 'Father' to assure operation during the summer, when few road shows are available and Detroit will be 'hot' for shows, the city's plants running day and night filling war defense orders.

AGMA Changes Office

American Guild of Musical Artists is moving March 15 out of the offices it is now sharing with the New York branch of Screen Actors Guild and Theatre Authority on Fifth avenue. The three organizations took joint offices about a year ago, and many at that time thought it might be a move towards 'one big union.'

AGMA is moving into the same building as the American Federation of Radio Actors at 2 W. 45th street.

In moving out of the Fifth avenue building, AGMA leaves the SAG branch and TA with a high rent and office overhead. It's probable that these two organizations will now seek smaller quarters, either together or apart, as is convenient.

Shows in Rehearsal

'They Walk Alone' — Ben Boyar.

'Brooklyn Biarrits'—Mary L. Elkins, Clarence Taylor.

'The Doctor's Dilemma' (revival)—Katharine Cornell.

'Five Alarm Waltz'—Everett Wile.

Name Concert Dates

(Feb. 12-19)

Jascha Heifetz—With Chicago Symphony, Orchestra hall, Chicago (13-14); Cyrus Northrop aud, Minneapolis (15).

Jose Iturbi—Rajah theatre, Reading, Pa. (18).

Yehudi Menuhin—Town hall, N. Y. (12).

Rise Stevens—Carnegie hall, N. Y. (12).

RAZING HITLESS N. Y. LEGITER FOR STORES

The Waldorf, former New York legit theatre that never had a hit, will be razed and stores will be built on the site on 50th street between Broadway and Sixth avenue. House was one of the first improvements on the south side of the block, long before Radio City was started. Waldorf was among the legiters when there were around 60 theatres lighted in the Times Square zone. It berthed several music shows, including 'The Talk of the Town' and 'Take the Air,' latter show being produced by Gene Buck. House was operated by Harry Oshrin, an attorney, for several years. He is interested in 'Tobacco Road.'

Property was bought by W. A. O'Brien, of the Rural New Yorker, a magazine. Purchase price announced was $400,000 and was said to be an all-cash deal. As the block is an approach to Radio City, any number of stores have been built there during the past several years.

Virginia Campbell suffered an attack of ptomaine poisoning last Wednesday (5), but managed to get through her performance that night in 'Cream In the Well,' at the Booth, N. Y.

Inside Stuff—Legit

A program note on the 44th St. theatre billing reads: 'Win, Lose or Draw'—the stars and the cast of 'Crazy With the Heat' wish to express their heartfelt appreciation to Ed Sullivan, who has made all of this possible. Ed in turn expresses his gratitude to the Stagehands Union, Local 802, Musicians Union, Actors Union, Lew Brown and Boris Said for their wonderful generbslty."

The players all curtsy Gracie Barrie and Betty Kean, whose friendship with the N. Y. News' columnist interested him via additional bankrolling and his own production assistance. Whether Sullivan thinks he can do for 'Crazy' what Winchell did for 'Hellzapoppin,' none disputes his sincerity, even unto putting up his own money. Lew Brown came in to help on restaging and Sammy (Puck and) White is also pitching in on fixing up the dance routines.

Grace Moore's appearance at the Met opera Friday (7) in 'The Love of Three Kings' ('L'Amore Dei Tre Re') was the fulfillment of virtually a life-long ambition. Composer, Italo Montemezzi, first heard her sing when she appeared in the 'Music Box Revue' in 1923 and he thought her voice too fine for musical comedy. Miss Moore replied that she had no intention of remaining on Broadway, that she had been studying for opera since a young girl and that she planned to sing his 'Three Kings' at the Met some day.

Since then Miss Moore and Montemezzi have been friends. He coached the star for her first audition at the Met when she sang an aria from his first opera, 'Giovanni Gallurese,' also for the part of Fiora in 'Three Kings'. He conducted the orchestra for the performance.

Possibly as a stunt, the Green Room Club, defunct for some time, has been 'revived,' quartered in the dressing room of Charles Withers at the Winter Garden, N. Y., where he is appearing in 'Hellzapoppin.' Withers has the title of 'prompter' and Sharon Stephens is 'copyist'. S. Jay Kaufman, who was a leading spirit for years at the club, is said to be interested in the idea of re-establishing the organization.

Club was organized in 1902 by William A. Brady, plus a group from the Actors' Order of Friendship. Out of the latter association grew most of the present day actor unions. A reunion luncheon is proposed by some of the Green Room Club's older members.

Although she was given no billing, 16-year-old Margie Knapp last week took over two of the four big tunes regularly handled by Jane Pickens in Ed Wynne's 'Boys and Girls Together.' Miss Pickens was ill and her sister Patti was advertised as subbing for her. A native of Louisiana, Miss Knapp was with the St. Louis Musical Opera all last summer.

Last week Bert Lytell tried out a sun lamp but over-played it and was unable to use makeup for several days. Said he was lobsterized alright, but too much so.

He is featured in Gertrude Lawrence's starrer, 'Lady in the Dark,' Alvin, N. Y.

Plays on Broadway

LIBERTY JONES

Drama with music in three acts presented at the Shubert, N. Y., Feb. 5, '41, by The Theatre Guild; written by Philip Barry; John Iseel and Nancy Coleman featured; incidental score by Paul Bowles; staged by John Houseman; production under supervision of Theresa Helburn and Lawrence Langner; scenery and costumes designed by Raoul Pene Du Bois; dances by Lew Christensen; $3.80 top.

Liberty Jones	Nancy Coleman
Liberty's Uncle	William Lynn
Liberty's Aunt	Martha Hodge
Tom Smith	John Beal
Dick Brown	Tom Ewell
Harry Robinson	Howard Freeman
Nurse Cotton	Katherine Squire
Nurse Maggie	Ivy Scott
Reporters	Don Glenn Craiun Denton
Dancers	Lew Christensen Elise Reiman Victor Thorley
Shirts	Louis Polan Richard Sanders
Policemen	Norman Lloyd Murray O'Neill Allan Frank William Mende William Castle
Singers	Roy Johnston Eva Burton Ruth Gibbs Alyce Carter
The Seven	Lew Christensen Joseph Anthony Vincent Gardner Craig Mitchell William Castle Roy Johnston Jack Parsons
The Eleven Eries	Elise Reiman Dedelia Pells Caryl Smith Honora Merwood Ellen Morgan Helen Kramer Barbara Brown Constance Dowling Eva Burton Ruth Gibbs Alyce Carter

'Liberty Jones' is the costliest and most ambitious production by the Theatre Guild this season, a high-brow drama that's difficult to understand except around the edges. That it will win back the investment is questionable.

Latest work by Philip Barry is on the fantastic side. Its characters are symbolic, author seeming to prefer that type of playwrighting, though he has been much more successful with comedy, as, for instance, his 'The Philadelphia Story.' Barry indicates that the play is concerned with the turmoil in Europe and that America is on the verge of being involved.

Liberty Jones is a sick girl, typifying America which without freedom would perish from the earth. The medicine given her is ineffective and it is inferred that the patient is under the thumb of three menaces, evidently symbolic of the Axis dictators.

Four doctors of medicine, law, letters and divinity are unable to cure Liberty. Her wealthy uncle secures the famous Tom Smith, indicated to be a naval commander and a wonder airman, and her old Irish nurse. From then on Liberty starts to recover. Tom, representative of America's spirit, is the tonic she needs, while nurse Maggie's common sense is the sedative. Tom makes a miracle flight, returning with an agreement to give away a portion of Liberty's park. That indicates he favors appeasement, but when the menaces demand all the ground Tom takes another course, and with his bride makes another swift journey over a mythical bridge that spans the sky. There is mention of a bridge that can be crossed before it is reached—something for audiences to guess about.

As the play unfolds the introduction of music becomes more pronounced, but few of the lyrics are clearly delivered; save a number late in the show soloed by the nurse. Dancing is interpolated by groups that form a sort of ensemble. The action is in a penthouse, bordering on what could be Central Park, and in the park itself. Some scenes are beautiful and skillfully lighted for effect, but the play itself is so vague for the most part that only near the close does the author's message sift through.

While the cast is fairly large there are but eight real speaking parts. Playing her first leading role, save for summer theatre appearances, Nancy Coleman stands out as Liberty. She is on stage for most of the play, giving a somewhat ethereal performance. Being a virtual newcomer, the play should establish her on Broadway.

John Beal, as the airman, is featured along with Miss Coleman. His playing is that of a manly, confident little fellow. Tom Elwell is his chief aide, almost his other self. The characters are so closely related at times that in the wedding scene, when Liberty becomes a bride, it seems that she's marrying both.

William Lynn and Martha Hodge, as Liberty's uncle and aunt, are typical of wealthy Americans inclined to pleasure. Katherine Squire renders a wedding-cake song more clearly than the other numbers given. Titles or the songs by Paul Bowles are not programmed. Settings and costumes by Raoul Pene Du Bois make the play pleasant for the eye, but can hardly overcome the elementary allegory. *Ibee.*

POPSY

Comedy in three acts presented at the Playhouse, N. Y., Feb. 10, '41, by Theodore Himmelstein and Denis Du-For, in association with Hugh Skelly; written by Frederick Herendeen; Al Shean featured; staged by Rowland G. Edwards; setting by Tom Adrian Cracraft; $3.30 top.

Nancy	Edna Conlon
Mortimer	Raymond Cape
Prof. Henry Tibbs	Al Shean
Mary Tibbs	Edith King
Jane Tibbs	Natalie Thompson
Jed Prout	John Adair
Bob Hatch	Herbert Evers
Dr. Thomas Lorelt	Robert Harrison
Florence Tibbs Benson	Sylvia Field
Marie Benson	Joyce Van Patten
Henry Benson	Lachland Campbell
Ruth Tibbs Brown	Nancy Evans
Messenger	Judson Pratt
Thaddeus T.	Percy Helton
Dr. Nee	John McGee
William Brown	Robert Allen

Script has been around for years, mostly under the title of 'Home, Sweet Home,' and was tried out in summer stock several seasons back. That's about as far as it should have gone, for it's a mediocrity and its chances to stick on Broadway are very slim.

Better-known managers were artful in passing up the new play, if it ever reached them. It remained for two-well liked and ambitious fellows like Teddy Hammerstein and Denis Du-For to present 'Popsy,' Hugh Skelly being associated. Author Frederick Herendeen has rooters, too, but, being a reputedly rich Chicagoan, the play's indicated misfire should not hurt him as much as the others.

One setter is a small town comedy, a homely thing with too much family routine, too repetitious and with a minimum of laughter. While not exactly a museum piece, it seems dated.

Story has to do with Henry Tibbs, mathematics professor resident in Madison, Wis.; his wife and their three daughters. Youngest girl, Jane, is about to wed the town's most attractive youth. Since the other girls are married and live elsewhere, old Tibbs is free to fulfill a life-long hope—going to an island in Hawaii and writing the book he has been talking about so long.

But Jane breaks off her engagement, or thinks she does. Florence comes from California with two spoiled kids, complaining she has walked out on her mate, and Ruth arrives from Detroit, also having fancied husband trouble. Latter's problem is that she hasn't been able to have a baby in five years of marriage. Hubby doesn't particularly

(Continued on page 44)

MOI-YO MILLER

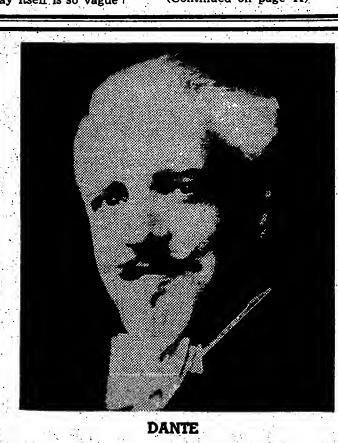
DANTE SPELLS SUCCESS

"Talk of Pittsburgh is still about the biz that Dante rolled up in his week at Nixon theatre. Figure first reported last week was underestimated, magic show rolling up $10,300 at $1.65 top instead of $8,500 originally quoted. For final four performances there wasn't a single ticket available and more than 500 standees saw the show during that time. Frantic efforts were made to holdover Dante at Nixon when Dennis King musical, which was to have followed, was cancelled out, but previous bookings couldn't be switched. As a result, Harry Brown, Nixon theatre manager, is trying to get UBO to send magician back for a return engagement later in season."

—VARIETY, JAN. 22, 1941.

SIM — SALA — BIM

Impresario ROMBOUT VAN REEMSDYKE, 134 W. 58th St., New York



DANTE

Legit Prod. Falls Off After Dec.-Jan. Spurt; Showmen See Big Summer

After a December - January spurt New York legit production activity has slowed down. Three new plays came in last week and four are carded to open this week on Broadway, but that about winds up the February entries, though there's still another two weeks to go. March possibilities are much more evident, but the definite debuts are few and that also applies for the early spring period.

Showmen anticipate a lively summer for the theatre and a number of producers are hunting likely scripts. They figure that although there is no World's Fair to draw visitors to the metropolis, it will again be a mecca for out-of-towners, because it will be another vacation period when Europe is shut off and people going on South American cruises must embark from the port of New York. The Fair was not really helpful to Broadway, except at certain times, either of the two years during which it operated.

More importantly during the coming summer is the expected flow of a percentage of the enormous defense expenditures. Much of that money has not yet begun to circulate except in industrial districts. While America is swinging into its all-out stride of defense preparations, the general idea is that those participating will take certain amount of time for recreation. Upswing of spending by craftsmen to local merchants will probably be the factor in the materialization of increased theatre attendance.

Cooling Plants

Broadway is properly equipped to counter the summer heat. Virtually all leading legit theatres have cooling systems. Because of that and the fact that New York is regarded as the top summer resort, there is no longer a deadline for production. Formerly better known managers washed up their presentation schedules before spring. Prospect for summer musicals is hazy, bettering the chances of the current hits of that type to hold over through the heated period.

Business wavered last week, especially on Thursday and Friday (7). On the latter day a near-record downpour lasting well into the evening dented takings in most houses. Drop in the evening's gross was as high as $800 from that of the previous Friday. Saturday saw a theatre rush, which has featured the winter period.

Last week's openings were on the debit side. First to arrive, 'Tanyard Street,' Little, was socked by the critics but continues. 'Liberty Jones,' Shubert, drew some praise, but the notices indicated its chances are not so hot. 'Boudoir,' Golden, was uniformly panned.

Advance reports on this week's incomers are more favorable. They are 'Claudia,' Booth; 'Popsy,' Playhouse; 'Out of the Frying Pan,' Windsor, and 'The Mechnical Heart,' Miller. Latter was played out of town as 'The Talley Method.'

WYNN CUTTING 'BOYS' SCALE TO $3.30 TOP

Ed Wynn's 'Boys and Girls Together,' Broadhurst, N. Y., will lower its top price from $4.40 to $3.30 starting Feb. 24. Reduction would have started next week, but a number of tickets at the present scale were sold up to Feb. 22. 'Boys' is the second 4.40-er to drop the top recently. 'Crazy With the Heat' sliced to $3.30 after it laid off for revision.

It's possible that the Wynn revue will move to a Broadway house with larger balcony capacity than the Broadhurst. Comic is desirous of playing well into the spring, so that no road stands will be used up before next season. Wynn is satisfied if the show can break even for the balance of the stay in New York. 'Boys' can gross around $22,500 if drawing capacity at $3.30. Understood the show earned back most of the production cost during the period when it was selling out.

Maxwell Anderson's 'Elizabeth the Queen' has been recorded as a Talking Book for the blind, by Mady Christians, Wesley Addy, Whitford Kane and a Broadway cast. Recording was done by the American Foundation for the Blind.

'Heart' Again Off

'The Mechanical Heart,' renamed from 'The Talley Method,' will not open at the Miller, N. Y., Saturday (15) as announced. Playwrights will send the S. N. Behrman play out of town next week and it is now dated to open on Broadway Feb. 24. Show stars Ina Claire and Philip Merivale.

Play's arrival at the Miller has been postponed several times, principally because of cast changes and some script revisions. After a preview in New York Monday (10), it was decided that further polishing was advisable and the premiere was set back again.

'Arsenic's' Outside Laughs From Its Angels (Un) Ltd.

Probably no hit show every produced has provided so many outside laughs—almost in competition with the performance—than 'Arsenic and Old Lace,' Fulton, N. Y. Most of the humor comes from certain people within the mob who have hunks of the Howard Lindsey-Russel (Buck) Crouse production.

Aided and abetted by Crouse, Frank Sullivan, 5% backer, is chief steamer-upper of the extraneous giggles. After a lapse of three weeks he planted a second comic story in Sunday's (9) N. Y. Times, complaining that those who have pieces of 'Arsenic' hadn't yet shared in the profits. He said he had seen bales of green stuff in the box-office and opines 'that ain't hay'. Sullivan's squawk, however, was wasted, for last week the backers received virtually half the amounts they invested. That's a record for those who buy in on plays.

The bunch call themselves the Elderberry Holding and Backers Assn., with a subtitle of The Lindsay, Crouse Mutual Admiration Society, were muttering about not being declared in on the kale, according to Sullivan. He started rubbering to see if any of the others had received any kickback and so visited Clare Boothe, one of the 21 with pieces: 'There she was sitting in the cold ballroom of her Waldorf Towers apartment, huddled in a couple hundred strands of pearls, down to her last fourteen million bucks, and not a word from Crouse and Lindsay, Ltd.'

Sullivan in The Red

Sullivan not only claims he didn't get any 'Arsenic' coin, but is $127 in the red, explained by the fact that when he heard the show was a wow he bought a great many drinks on his own initiative. Another complaint is that he hadn't seen the show yet, because they didn't give him opening night tickets.

Crouse hid away in an out of town hotel for several days rest and upon reflection decided it was time to worry Dick Maney, the alleged press agent for the show. He telegraphed: 'Immediately explain why 'Arsenic and Old Lace' was not mentioned in Hitler's speech upon pain of instant dismissal'. Maney, who can also juggle words, replied, but doesn't remember what he wrote.

Among friends who expressed their pleasure over the play's click was Alexander Woollcott, who however, thought he ought to be declared in on the show. He explained that he once wrote a book with the word 'and' in it. The producers answered that the declaring-in season was closed just before his letter arrived. Woollcott is trouping again in 'The Man Who Came To Dinner.'

Crouse was ordered abed to rest by his doctor after going on the ASCAP broadcast last Saturday (8). Just a little matter of nerves, he said. Also co-author of 'Life With Father,' with Howard Lindsay, he hoped to be present at the celebration of a year's run by 'Father' in Chicago next Saturday (15).

He also intends looking for an independent theatre in Chicago for 'Arsenic,' if a road company is decided on.

Serenades for Few Pennies in L. A.

Los Angeles, Feb. 11.

Series of pop operettas, priced from 15c at matinees to 50c top at night, is planned by Arthur Spitz, former European producer, who has leased the Mason Opera House.

Matinee top would be two bits.

SEE EXTENSION OF SUN. SHOWS

Growing use of Sundays for legit performances may be extended through summer and possibly into next season. That is up to Equity, which, by withdrawing the double pay requirement, made it practical to play on the Sabbath. Showmen say Sundays should be important during summer, which is expected to see strong theatre attendance because of the usual visitor influx. They add it would be a novelty for such patrons to be able to attend on the Sabbath.

More shows are adding Sunday matinees in addition to evening performances and by Feb. 23 at least eight shows will be on that basis. 'Tobacco Road' (Forrest) and 'Cabin In the Sky' (Beck) have been on the two-show Sunday schedule, others carded being 'It Happens on Ice' (Center), 'Meet the People' (Mansfield), 'The Man Who Came to Dinner' (Music Box), 'Tanyard Street' (Little) and 'George Washington Slept Here' (Lyceum). 'Flight to the West' (Guild) dropped the afternoon show, but resumes then as well as evening.

Through the League of New York Theatres, questionnaires have been sent to managers who have been experimenting with Sunday performances. Only a few responses have been received, but it is indicated that the experiment is favored.

Growing number of Sunday matinees developed a minor box office problem. Agreement with the ticket men's union calls for opening the b.o.s at noon, but the managers have asked the treasurers to report at 10 a.m. Principal reason is to answer telephone inquires about the Sabbath performances. "As replacement ticket sellers are used on Sundays, the earlier start will probably go into effect.

'HEAT' BREAKS EVEN ON 10G TAKE IN 1ST WEEK

First full week's gross of 'Crazy With the Heat,' after it relighted at the 44th Street, N. Y., was around $10,000, which was said to be around an even break. Revue resumed at $3.30 top, being re-routined and new specialty turns being added to the cast following a layoff of a week and a half. It originally opened at $4.40 top, was panned and taken off. Ed Sullivan, columnist on the N. Y. News,' and a group, took over the job of recasting and restaging the show.

Cooperation of the stage unions figured in reducing the operating nut. Stagehands and musicians dropped some men from the crew and pit. Equity okayed a salary cut for principals for a two-week period, but a new arrangement has been made whereby the cuts will be rescinded on a sliding scale according to the takings. If the gross reaches $15,000 players will get a 25% increase over the slice figure. Same percentage at the $16,000, $17,000 and $18,000 levels, so that if the takings reach the latter figure full salary would apply.

A first night incident on the resumption steamed up Sullivan. Victor Borge, Danish comedy pianist, who was added to the cast, refused to follow instructions. He had been ordered to cut his routine to four minutes, following a preview showing. Instead, Borge stayed on more than nine minutes. What Sullivan said to Borge was not quoted, but the actor has not been seen around the show since.

Show management had given Equity $100 for Borge's initiation fee. When he disappeared Equity was asked to refund the money and void Borge's application for membership. Equity sent back the money.

Ticket Brokers File New Action Against N. Y. State Law Limiting Premiums to 75c; March Trial

New York ticket brokers have renewed their fight against the enforcement of the new state law placing a maximum premium of 75c on all tickets and the new action may be heard in March. When the original suit was withdrawn recently after the agency people met with court reverses, it was stated that fresh proceedings would be started. Paul Moss, New York City license commissioner, and Lewis J. Valentine, police commissioner, are again named as defendants by William A. Hyman, counsel for the ticket people.

Brokers seek to enjoin them from enforcing the law on the ground that it is 'unreasonable,' whereas in the first action it was contended the statute was 'confiscatory.' Original action named six brokers as complainants, while the present proceeding names 21, the suit being 'for themselves and on behalf of all others similarly situated.' Ticket men complain that the statute is illegal because it's in violation of the 14th amendment to the Constitution, which denies confiscation of property and property rights without due process of law.

Further argued that a U. S. Supreme Court decision in 1922 declared the fixing of ticket prices as unconstitutional as in the first action. N. Y. Supreme Court Justice Sidney Bernstein, in his recent ruling, indicated that the attitude of the highest tribunal at the time would be reversed if called upon to consider the case now.

Stress Sporting Events

Cases cited by Charles Weinstein, assistant corporation counsel, to show the changing trend in high court decisions have been partially used as a basis for the new complaint on the part of ticket brokers, one reason why the first suit was withdrawn. Latter move was decided on while an application before Justice Ferdinand Pecora to amend the original complaint was pending. In reversing decision he indicated he would decline to allow the changes.

In the new complaint the matter of limiting the premiums on tickets for sporting events, particularly prize fights, is stressed. Claimed that while tickets for legitimate shows are returnable and therefore not a loss risk, it is necessary for brokers to buy fight tickets outright. They are not returnable. As such tickets cost as high as $27.50, the chances of loss on unsold tickets are such that it might force the agencies out of business.

There are some 47 agencies, most of them operating under the code which also places a premium ceiling at 75c over the boxoffice price. They make no complaint about the code at this time, but hope to be able to sell tickets for sporting events at prices that would assure profit and protect them from going into the red. Fact that the state law takes in all amusements and entertainments, while the code is restricted to the legit, is the basic reason why the brokers are in court. They will possibly risk taking the case to Washington, regardless of the contentions that more recent decisions point to a change in the Supreme Court's attitude in regard to price-fixing.

Among the arguments presented by the brokers is that they only handle the top-price tickets; that the purchase of same is a luxury; that they only sell a small percentage of the total number of tickets bought; that the state statute is illegal because it applies only to the city of New York; that the law was passed without application by city authorities or its counsel and is therefore not proper legislation. Further contended that Mayor La Guardia of New York vetoed a bill passed by the council last year on the grounds that it was probably unconstitutional. Mayor, however, is reputed to have urged that the new law be rigidly enforced.

Commissioner Moss is known to have recently acted on complaints that sidewalk ticket speculators were operating. He stated that at least one arrest had been made and that he has a corps of inspectors observing violation of rules he laid down. Those rules have been objected to by the brokers, who declare that there are no evils in the ticket business that call for the drastic penalties. Joseph McCarthy arrested for sidewalk speculation pleaded guilty and was fined $25.

'Tanyard' Continues

When Jack Kirkland sailed for Guatemala Saturday (8) he thought 'Tanyard Street,' which he presented at the Little, N. Y., earlier in the week, would stop that evening and the closing was announced. Notices were thumbs down and the Irish play looked hopeless. However, Saturday's business perked up to such an extent that Mrs. Kirkland, who is Haila Stoddard professionally, and who remained in New York, stated the closing was a mistake and ordered it continued. As Kirkland left his checkbook behind that was quickly arranged.

There was no performance Monday (10), it being explained that 'Tanyard' would play Sunday performances and the layoff was required by Equity for shows playing on the Sabbath.

Ruling on Alien Authors Stymies Dramatists' Pact

While the managers and the Dramatists Guild (authors) are seemingly in agreement over revisions to the basic minimum agreement, which expires March 1, a difference of opinion cropped up last week over the new stipulation on alien dramatists. The provision in question is the requirement that British and other foreign authors must join the Guild before producers can present their works over here.

Managers say that rule is tantamount to a closed shop, but the authors are adamant on the point and countered with the opinion that the term is obsolete in this era of organization. So far the changes in the pact have been considered only by committees from both sides and must go before the general membership of each before acceptance. Believed that the Guild members will back up their leaders.

Rule in the present agreement provides that a producer may do one play of foreign origin each year, but, if producing two or more, the author must join the Guild. Conceded that the disputed provision is not pertinent at this time and same goes for the near future, for the market for foreign plays has virtually disappeared because of the war. Production in England is practically nil and little is known about new plays if any in continental Europe. Even if the war ends soon, nothing could be expected from Europe in the line of plays for a year thereafter.

However, as the contract is for a five-year term, as was the original, some managers object to the new clause on general principles as an encroachment by the Guild. Few American producers are more than casually interested in foreign scripts, but some specialize in such plays, notably Gilbert Miller.

The percentage of English plays which click on Broadway is notoriously small. Exception currently is 'The Corn is Green,' National. It was presented in London two years before it appeared here. An English melodrama, 'They Walk Alone,' started rehearsals this week.

Tondeleyo Too Hot For L.A., Get Cooler and Fines

Los Angeles, Feb. 11.

Patricia Saunders and J. Harvey Johnson, principals in 'White Cargo' at Beaux Arts Theatre here, and producer William D. Swanson were found guilty and handed stiff jolts in court on charges of presenting indecent performance. All have appealed sentences.

Swanson was given 180 days in jail and $500 fine, with 50 days more if he fails to pay off. 'Tondeleyo' and Johnson were assessed $250 fine or 50 days in jail.

Literati

Annenberg Tribute by Patterson

Unusual tribute was paid last week, editorially, in the N. Y. Daily News by Capt. Joseph M. Patterson, its publisher, to Max Annenberg, until his recent illness the paper's circulation director. The editorial column of the News on the day following Annenberg's death was headed with a 'Memo to Max Annenberg,' and it read:

'Goodbye. I am going to miss you a lot. For many years you have been my best friend, outside members of my family. Hope to be seeing you some day.'

Annenberg, 66, for 30 years associated with the Chicago Tribune and the N. Y. Daily News as director of circulation for those newspapers, died Feb. 7 at his winter home in Phoenix, Ariz., after a five-month illness. A brother of M. L. Annenberg, publisher of the Philadelphia Inquirer, he started his career with the Chicago Tribune in 1893 and nine years later became circulation manager of the Hearst chain and Cosmopolitan magazine. He returned to the Tribune in 1910 and remained with the organization until his death. Also surviving are his widow, Etta, and three children, Mrs. Sylva Leichner, prominent golfer; Ivan Annenberg, present director of circulation for The News, and another daughter, Mrs. Mindell Gross.

In Memory of Odd McIntyre

Charles B. Driscoll, who does 'New York Day by Day,' via McNaught syndicate, salutes an old friend tomorrow (13) as follows, to lead off his column:

Three years ago, at midnight on Feb. 13, Oscar Odd McIntyre, most beloved and most widely read writer in all history, fell asleep. As his friend and editor for 13 years, his biographer, and his unworthy successor in the carrying on of this column, it is my custom to set this day aside in his memory...

Column goes on to tell of McIntyre's seemingly tireless efforts expended in turning out his daily column, for which 'nobody can be paid well enough for that kind of service, for that kind of life and devotion.'

Bell's Dot Thompson

Bell Syndicate has contracted Dorothy Thompson, the columnist's stint to start March 17 in more than 135 dailies, weeklies and semi-weeklies, following the expiration on March 15 of her pact with the New York Herald-Tribune Syndicate. Disagreement in policy with Ogden Reid, the Herald-Trib's publisher, which came to a head last fall when Reid held out Miss Thompson's column to support President Roosevelt's third-term nomination, motivated her refusal to continue the pact.

Miss Thompson made her debut as a newspaper columnist on March 15, 1936, in the N. Y. Herald Tribune and subsequently that daily's syndicate sold her column to more than 115 publications.

Miss Thompson will stack up against her present employer in New York, Bell selling her in Gotham to the Post.

Gauvreau Mag Off Till Fall

Tab. pictorial mag which Emile Gauvreau was set to edit for Hillman Publications this spring, has been pushed off until fall, it was said at the Hillman office this week. Former editor of the New York Mirror was declared at his country home 'working on the format of the new magazine.'

Gauvreau's autobiog, 'My Last Million Readers,' will be published shortly. He is also working on another book.

PM-Roy Howard 'Feud?'

The 'feud' that has arisen between the N. Y. World-Telegram and PM, new N. Y. tab daily, is something that stems from the fictional fancies of the PM bunch, according to newspapermen in the know.

PM, of course, with its New Deal attitude is diametrically at odds with the policy of Roy Howard and his Scripps-Howard papers, of which the World-Telly is the New York outlet, and PM editorially has emphasized that point in no uncertain terms. However, the World-Telly's repeated kidding attitude toward PM, particularly the yarn written a week or so ago by H. Allen Smith, staff feature writer, is indicative of nothing more than Smith's usual whimsical burlesques on anybody or anything, of which he's done a number in the past.

Smith, in the aforementioned yarn, did a takeoff on the habitual use of the first person by PM by-liners, singling out, in particular, Ralph Ingersoll and pseudonymously referring to him as 'Ralph Dollarwatch' and the paper as 'PS.' PM followed up Smith's yarn by reprinting it verbatim.

Smith, incidentally, has done similar burlesques on Ed Sullivan, Nick Kenny, Louella Parsons, Lucius Beebe, etc., all as part of a special series of features for the World-Telly's Saturday amusement section.

Jim Conzelman's Column

Jim Conzelman, quondam actor, songwriter and newspaperman, but mostly coach of the pro Chicago Cardinals football team, has been signatured to do a three-a-week sports column for King Features. Joe Connolly set the deal.

Conzelman, who returns to the St. Louis municipal opera next summer to play in 'Too Many Girls,' is also under lecture management of W. Colston Leigh.

Quentin Reynolds' Diary

Quentin Reynolds got a second book contract quite by accident when he ad libbed conversationally with Bennett Cerf, prez of Random House, who observed, 'It's too bad you didn't keep a diary.' Reynolds said he did, however, and his 'A Londoner's Diary' was thus set via Random House.

'The Wounded Don't Cry,' the Collier's war correspondent's first volume, went via Dutton on an agent's commitment previously made.

Considine Signs for 5 Years

Five-year contract of Bob Considine, sports columnist on the Mirror, N. Y., has been renewed for a similar period. When he joined the Hearst outfit Considine signed with the American and when that daily was merged with the Journal, scribe switched to the Mirror.

New contract is with King Features, syndicating arm of the Hearst publications. Recently, the Mirror's sports editor, Dan Parker, was given a new term contract.

LITERATI OBITS

George R. Rogan, 56, assistant city editor of the Los Angeles Herald and Express, who had been an active newspaperman for 41 years, died of a heart attack Feb. 3 in Los Angeles.

Frederick P. Perkins, 43, veteran newspaper man who had been a staffman for several New England newspapers and more recently a feature writer for The Boston Evening American, died Feb. 6 in a Boston hospital shortly after a heart attack.

George R. Rogan, 56, assistant city editor of Los Angeles Herald and Express and former producer of film shorts, died Feb. 4 in Los Angeles following a heart attack. Starting as an office boy on the old New York World, Rogan moved to the New York American in 1911 and shifted to California 17 years ago to become a picture maker. Later he resumed his newspaper career and has been with the Herald and Express for the past five years. Surviving are his widow, two daughters and a son.

Jacob Shapiro, 50, southwestern representative of the Jewish Morning Journal, N. Y., who maintained offices in St. Louis, died last week in San Antonio of influenza. Widow and two children survive.

John D. McAdams, 65, joint owner and business manager of the Alton, Ill., Evening Telegraph, died in a St. Augustine, Fla., hospital from injuries suffered in an auto crash. Widow, two daughters, four sisters and a brother survive.

Floyd Rich, publisher of the Carthage (N. Y.) Republican Tribune and one-time business manager of the Watertown (N. Y.) Standard and Hudson Valley (N. Y.) Star, died at a Watertown hospital Feb. 6 after an operation.

George E. Walsh, 75, retired newspaperman and magazine writer, died Feb. 7 in a Bronx, N. Y., hospital from injuries he sustained in a fall at his home in City Island the same day.

Lady Russell, 74, who, under the pseudonym of Elizabeth, wrote the best-selling novels, 'Mr. Skeffington' and 'Enchanted April' died Feb. 9 in Charleston, S. C., from influenza.

Charles E. Miller, 75, former advertising manager of the old Toledo (O.) Bee, and for the last 20 years head of his own advertising business, the Miller Agency Co., Toledo, died Feb. 2 in that city of a heart attack. Widow and two daughters survive.

Fred F. Fitch, 64, magazine writer and formerly connected with the Curtis and Crowell Publishing companies, died Feb. 8 at his home in Augusta, Me.

Marguerite Carse, 65, pioneer newspaperwoman of the midwest, who for years covered news and conducted a column for the Cleveland Plain Dealer, died Feb. 7 in a hospital near West Cornwall, Conn.

CHATTER

Merle Potter looking over the Hollywood studios for the Minneapolis Tribune.

David Wells in Hollywood to interview picture personalities for London News Chronicle.

Pierre Lazareff, former editor of the Paris Soir, writing a history of that paper for Random House.

Ed Anthony of Collier's mag aboard boat for California on a vacation.

Hollywood Features Syndicate servicing George Fisher's 'Hollywood Whispers' to 62 papers.

Steve Laird, former Time mag man in Washington, now stationed in Berlin, and getting stuff through regularly.

New York Financial Writers pick their new officers at an annual meeting tomorrow night (Thursday) at the Lexington hotel, N. Y.

Pauline Corley, literary editor of the Miami News, authored 'The World and Richard,' novel, which Bennett Cerf will publish shortly.

Jerome Ellison, Reader's Digest staff associate, leaving for Coast by auto to work on new novel. Random House to publish his 'The Dam' in spring.

Edward Van Every, N. Y. Sun sports writer, on leave of absence for a month in Hollywood as research counsellor for his story, 'Coney Island,' at 20th-Fox.

Plays on B'way

Continued from page 42

POPSY

care, but she doesn't think it fair to him and wants him to be free.

With a house full of girls, the plans of the old boy and his wife, Mary, look to be thoroughly shot. But toward the end everything turns out to be all right. Ruth has a fainting spell and the doctor verifies her delicate condition, so a message brings her William flying to her side, prematurely loaded with toys. After making and unmaking her mind more times than necessary, Jane and her Bob rush to a parson and get hitched. Then Florence receives word that her man has landed a much better job and they are to go to South America for a trip. The professor and Mary decide to scratch Hawaii and go instead to Niagara Falls.

Al Shean, as the prof, is featured. He seems skittish for a man of 60 who looks older. He tries a change of pace and uses familiar mannerisms, but the part does not contain the humor that was expected. Edith King, as his wife, gives a good performance. Among the daughters, Nancy Evans, as Ruth, appears best. Sylvia Field has a fair part as the daughter with the kids, while Natalie Thompson is the changeable Jane. Others are just so-so, but that may be traced to the play rather than the players. *Ibee.*

TANYARD STREET

Drama in three acts (four scenes) by Louis D'Alton. Directed by Arthur Shields; setting by Mercedes. Presented by Jack Kirkland, at Little, N. Y., Feb. 4, '41; $3.30 top.

Mosey Furlong.............Barry Fitzgerald
Mrs. Furlong..........Zamah Cunningham
Nanno Deasy..............Aideen O'Connor
Hessy McMorna..........................Margo
Hugh McMorna..................Lloyd Gough
Davey Deasy.........................Art Smith
Father Conn.....................Hale Norcross
Kevin McMorna..............Arthur Shields

Jack Kirkland, whose theatrical ventures since his fabulously profitable 'Tobacco Road' have invariably been unsuccessful, apparently has another failure in this comedy-drama from Dublin's Abbey Theatre. Like all Kirkland presentations, it is a well-intentioned production, but its script weaknesses make it a dubious boxoffice prospect and a negligible bet for pictures.

All-important flaw in 'Tanyard Street' is that as a miracle play its effectiveness depends on its dramatic scenes—yet the comedy passages, which are really extraneous, are the only ones that hold attention. Thus, Barry Fitzgerald, as a ludicrous hypochondriac, gets steady laughs, but as soon as he's off the stage and the vital theme of the play is resumed the audience begins its telltale coughing.

While Fitzgerald is an infectious buffoon, the other actors are unequal to Louis D'Alton's stubborn script. Arthur Shields seems uneasy as the crippled Spanish Civil War veteran who is cured by faith. Margo appears ill-at-ease and almost muted as his distraught wife. Lloyd Gough's headlong attack gives at least partial conviction to the part of the wounded man's brother, whose love for his sister-in-law merely adds to his embittered frustration. Zamah Cunningham and Aideen O'Connor are unable to bring static parts to life, while Hale Norcross seems unnecessarily anemic as a priest and Art Smith struggles vainly in an unsuited role.

Besides playing the central part, Shields staged the piece and was apparently baffled by the play's conflict of moods. Setting by Mercedes seems atmospheric, but has a stock appearance. Play's opening was postponed several times because of casualties to the cast and various other mishaps. It may have been jinxed from the start. *Hobe.*

BOUDOIR

Drama in three acts (four scenes) by Jacques Deval. Staged by the author, with settings by Raymond Sovey. Presented by Jacques Chambrun, at Golden, N. Y., Feb. 7, '41; $3.30 top ($4.40 opening).

Doris Williams.....................June Donner
Cora Ambershell..........Helen Twelvetrees
Culver............................Richard Irving
Phillips............................Curtis Cooksey
Phoebe Massuber..........Josephine Stanton
Ethel Shannon..............Jeraldine Dvorak
Enrico Palfieri.................Henry Brandon
Edgar Massuber.................Taylor Holmes
Gaylord.......................Staats Cotworth
Orlane..................................Else Argal

This Jacques Deval drama, the author's first attempt in English, provided one of those opening-night embarrassments the Broadway theatre must occasionally endure. Yarn about the intrigues and eventual disaster of an 1880 cocotte may not be the season's absolute nadir, but it's bad enough. In fact, it's terrible.

Writing is all perfectly grammatical, but such painfully stilted hokum that first-nighters soon got the giggles and presently laughed the piece almost off the stage. That was brutal on the innocent actors, but a fair enough estimate of the show.

Deval, who wrote the original French versions of 'Tovarich,' 'Her Cardboard Lover' and other Broadway plays, directed this one himself. Helen Twelvetrees, making her Broadway debut as the lead, is a looker, but her playing is rigidly expressionless. Taylor Holmes is sincere as the elderly admirer. Else Argal, the author's wife, is direct and believable in a supporting lead. Staats Cotsworth manages to retain his dignity in one of the most absurd parts in memory. Henry Brandon has little to do but smile amiably as a rakish swain who turns out to be a homicidal maniac. Raymond Sovey's single setting is elegant. *Hobe.*

Play Out of Town

Out Of The Frying Pan

Baltimore, Feb. 4.

Comedy in three acts by Francis Swann; produced by William Deering and Alexander Kirkland; staged by Kirkland; setting, Cirker and Robbins. At the Maryland theatre, Baltimore, Feb. 4, '41. $2.22 top.

George Bodell..............William W. Terry
Mrs. Garnet.............................Mabel Paige
Norman Reese.........................Alfred Drake
Murial Foster...........Florence MacMichael
Kate Ault.....................Nancy Douglass
Marge Benson...................Louise Snyder
Tony Dennison..................Sellwyn Myers
Dottie Coburn...........Barbara Bel Geddes
Mr. Coburn........................Henry Antrim
Mr. Kenny......................Reynolds Evans
Mac..............................Arthur Holland
Joe.............................George Mathews

This new play by Francis Swann, youngest member of the local family which operates the nearby strawhat Hilltop theatre, was given a summer tryout there this past season and attracted considerable Broadway attention. Now being sponsored by Alexander Kirkland and William Deering on a more ambitious course and given considerable rewriting and shifting, it remains as before, a pleasant enough comedy, but still not strong enough to make the grade on its proposed Broadway effort. [It opened last night (Tuesday) on Broadway.]

There is at least one saving grace to 'Out of the Frying Pan,' and that is the refreshing presence of a bright and promising group of stage-struck youngsters acting and being enacted in the story at hand. Wrapped around the efforts of an evenly divided sextet of boys and girls who have banded together in the strictly platonic tenancy of an apartment where the expenses of living can be held down, the ensuing twists and complications lend themselves to some diverting theatre.

Besides the pecuniary advantages of living under the same roof, there is another possibility of attracting a hard-to-make Broadway producer who lives in the flat below. It was his apartment before success in the way of a current Broadway smash shone upon him, and his superstition prevails upon him to stay on. The kids upstairs have carefully rehearsed their own version of his hit, and through conveniently located radiator openings in the floor watch for the opportune moment when they can pounce on the great man and force him into an audition.

A visit by a dumbdora girl friend of one of the aspiring thespians and the sudden barging in of her papa from Boston tie matters into a pretty pickle, plus the unlooked-for entrance of the producer himself bent on the loan of a spot of flour. The audition accomplished under difficulties and when the intruding father turns out to be the head play censor from Beantown bent on turning loose a tirade on the hit involved, it's a cinch that Boston is going to get a second company and that all of the dear children involved are going to be in the cast.

There are lots of good situations and a liberal sprinkling of laughs, plus some sympathy for the hopes of the juves who are trying so hard. Main trouble is that the story is not sufficiently sustained in its present writing and a large portion of the proceedings smacks of sophomoric wit. The characters of the producer and the irate parent are badly written and hard to believe. A bit of romance is nicely handled, but there is too much rushing around and cluttering up of the stage.

Cast is on the nice side. Florence MacMichael, only survivor of the summertime tryout, shows considerable promise as the dumb dame who helps throw a monkeywrench into the works. She has a natural knack for laughs and should find ample opportunities for her very evident talent. Also cute is Barbara Bel Geddes as the youngest and dizziest of the embryonic players. Daughter of Norman Bel Geddes, this is her stage bow. Mabel Paige, as a bemused and slightly puzzled landlady, also makes her role count. Alexander Kirkland's direction passes muster and the setting by Cirker and Robbins is quite adequate. Arthur Hopkins has been pitching in here on shaping the comedy.

Francis Swann has come close with this one and shows considerable promise. Regardless of the Broadway outcome, 'Out of the Frying Pan' has picture possibilities. It has much to recommend it in that direction, and properly worked over may even accomplish some success as a play. *Burm.*

Opera

'L'Amore dei Tre Re'

Opera in three acts; music by Italo Montemezzi; libretto by Sam Benelli; conductor, Italo Montemezzi; stage director, Desire Defrere; chorus master, Fausto Cleva.

Archibaldo.............................Ezio Pinza
Manfredo.......................Richard Bonelli
Avito............................Charles Kullman
Flaminio.....................Alessio De Paolis
A Youth.......................Nicholas Massue
Fiora.................................Grace Moore
A Maid..........................Lucille Browning
A Young Woman..............Maxine Stellman
An Old Woman......................Anna Kaskas
A Shepherd's Voice...............Reno Mabilli

The first presentation of the season of 'L'Amore Dei Tre Re' of Italo Montemezzi took place Friday (7) at the Metropolitan Opera house, with New York society and the curious jamming the doors to see Grace Moore assume the role of the heroine Fiora, and the debut as a conductor of Montemezzi, the composer. Why the soprano desired to sing the somewhat thankless role of Fiora is somewhat of a mystery, for it hardly compares with the fat parts of Mimi in 'Boheme,' or the title role in 'Louise,' and does not contain a single aria in which the star may exhibit her voice on a grandiose scale.

Miss Moore was vocally well up to her task. Her voice has improved yearly until today she ranks at the top of the country's lyric sopranos, and nowhere does she exhibit her talents quite so well as in the magnificent second act duet 'Oh Fiora, Fiora, sono Avito,' with Kullman. The singer, however, was badly directed in her acting of the part, especially in act two. There was a love tackle at one part that produced a squirming audience.

Despite the fact that she is a lyric soprano, her final dramatic duet with Pinza before being strangled with the five B flats, 'Allora quello ch'io bacio,' indicates that as her voice matures, the heavier roles will also be hers.

Best vocalism and acting of the evening was provided by Pinza, whose Archibaldo ranks as one of the bass' greatest characterizations. His aria 'O Ricorda, il pensiero mio stanotte' stopped the show in the first act, while his portrayal of the character of the blind King was a swell dish of melodrama and pathos.

Richard Bonelli sang well in his two arias, 'Fiora, Fiora piccolo fiore,' and 'Fanciulla tu non puoi mulla donarmi,' but the baritone refused to force his voice, and at times was smothered by the orchestra. His acting was no more than adequate, operatic gestures interfering somewhat with the visual presentation.

The voice of Charles Kullman carried well over the footlights, and the tenor did a yeoman job in the duet with Miss Moore. His last act aria 'Fiora, Fiora E Silenzio' was well delivered. His absurd costuming in act two and his successful rivalry (in love) of the more robust Bonelli was part of the showmanship absurdities of the performance.

The chorus and secondary roles were capably filled, but the star of the performance was undoubtedly the 67-year-old conductor-composer, whose reading of his own score brought out every nuance of the rich harmonic background, and held the audience spellbound with the majestic sweep of his baton. Not since the days of Toscanini has this score, the most vital of the 20th century Italian operas, received such a performance at the Met. It is to be hoped that the management will take advantage of its opportunity and give Montemezzi other operas to conduct besides his own. *Smith.*

Chi Legit B.O. Healthy; 'DuBarry' Big $23,000, 'Blossom', $12,500

Chicago, Feb. 11.

All four shows in the loop last week continued to do very well, even 'Blossom Time,' which will have at least a five-week run in the Grand to excellent business. Shuberts are planning to follow on Feb. 24 with 'Student Prince,' but these plans may be revised if 'Blossom' continues to thrive.

Next week marks the first anniversary of 'Life With Father' in the loop and a big celebration will be held in commemoration. Oscar Serlin is figuring that the show will be here until June and has the Blackstone until that time.

Smash trade for 'DuBarry Was a Lady' keeps that show here despite the continued 'last weeks' warning in the ads. Also at virtual capacity is 'Pins and Needles,' which, at $1 top, draws a steady patronage that will keep that show in town until spring.

In the offing is 'Sister Eileen' for the Harris on Feb. 17 with Guy Robertson and Audrey Christie. 'Louisiana Purchase' is scheduled to try in the mammoth Auditorium next month.

Estimates for Last Week

'Blossom Time,' Grand (3d week) (1,200; $2.75). Best mark for this revival in several appearances in Chicago; again clicking off a bright $12,500.

'DuBarry Was a Lady,' Erlanger (7th week) (1,300; $3.30). Rolling along to sellouts despite the $3.30 tariff and the absence of any big conventions in town at this time. Great again at nearly $23,000.

'Life With Father,' Blackstone (50th week) (1,200; $2.75). First anniversary near and the show continues to evidence boxoffice stamina. Smart publicity and promotion throughout has meant much in holding up the pace. Brilliant at $14,500.

'Pins and Needles,' Studebaker (8th week) (1,200; $1). Party trade holding down the money a bit, but to the doors at practically every performance. Big $8,100.

'TOBACCO,' $19,000, GREAT IN PITT REPEAT

Pittsburgh, Feb. 11.

The fabulous 'Tobacco Road' is still writing theatrical history in Pittsburgh. It came back to the Nixon last week for the 'steenth time at $1.65 top and tore the town apart, doing a spectacular $19,000 in nine performances. Management was forced to insert an extra matinee Friday (7).

Nobody ever thought 'Road' would ever top its $17,500 of last year, but then nobody ever knows what the saga of Jeeter Lester is going to do around these parts. It opened to SRO and stayed that way throughout the week. They were begging for tickets and a speculator could have made himself a fortune. Show's certain to come back again this year.

'Hellzapoppin' is current for two weeks.

Lunts Get Big $13,000 In Four Seattle Shows

Seattle, Feb. 11.

Alfred Lunt and Lynn Fontanne, in 'There Shall Be No Night,' last week hung up best legit gross record in three years.

Metropolitan, seating 1,500, had standing-room sales, bringing take to estimated $13,000 in three night and one matinee performances. Top was $3.45.

By drawing $9,000 in Victoria and $3,000 in Vancouver the Lunts grossed $25,000 last week.

'Ladies' 5G in 2 1-Niters

Bridgeport, Feb. 11.

'Ladies in Retirement,' English meller which Theatre Guild took over from Gilbert Miller, ended tour Saturday (8) at municipally-operated Klein Memorial Auditorium. Biz was fair as estimated $1,800 for matinee and night at $2.20 top.

Flora Robson, star of play for 46 weeks, left immediately for Hollywood to play in Metro's 'The Yearling,' with Spencer Tracy. Isobel Elsom, also in 'Ladies,' was Metro-tested Monday (10).

$3,000 in Prov. 1-Niter

Providence, Feb. 11.

'Ladies in Retirement' cornered estimated swell $3,000 in one-night stand at RKO Albee, 2,200-seater, Friday (7), despite season's heaviest rain storm.

Scale ranged from 50c to $3.

WOOLLCOTT'S 'DINNER' FINE $17,200 IN BALTO

Baltimore, Feb. 11.

It's a second week here for 'Man Who Came To Dinner,' with Alexander Woollcott, at Ford's, and biz has been fine from the teeoff. Slated to follow at same house is 'Time of Your Life,' Feb. 17, and 'Tobacco Road,' Feb. 24. Dowling play will provide third of current ATS subscription season of six plays.

Both legit houses here were again open last week. All the action, however, was for 'Dinner,' with pre-Broadway effort of 'Out of the Frying Pan,' at the indie booked Maryland, floundering at the b.o.

Estimates for Last Week

'Man Who Came to Dinner,' Ford's (1,900; $2.75). First of two-week stay clicked off merry $17,200, with interest from nearby rural centers helping swell the take. Woollcott getting plenty space in the dailies.

'Out of the Frying Pan,' Maryland (1,550; $2.20). Debut of comedy by localite was helped opening night by benefits, but fell way off thereafter, winding up with less than $3,000 for the week.

Current Road Shows

(Feb. 12-22)

Ballet Russe de Monte Carlo—Savoy, San Diego (12); Bridges aud, Claremont, Calif. (13); Philharmonic aud, Los Angeles (14-15); H. S. aud, Phoenix (17); Temple of Music, Tucson (18); Liberty hall, El Paso (19); Fair Park aud, Dallas (20); Music hall, Houston (21-22).

'Blossom Time' (Everett Marshall) —Grand, Chicago (12-22).

'Doctor's Dilemma' (Katharine Cornell, Raymond Massey)—Cass, Detroit (17-22).

'DuBarry Was a Lady' (Bert Lahr) —Erlanger, Chicago (12-22).

'Hellzapoppin'—Nixon, Pittsburgh (12-22).

'Life with Father' (Lillian Gish)—Blackstone, Chicago (12-22).

'Life with Father' (Dorothy Gish) —Repertory, Boston (12-22).

'Little Foxes' (Tallulah Bankhead) —Temple, Birmingham (12); Lanier aud, Montgomery, Ala. (13); Erlanger, Atlanta (14-15); Bijou, Chattanooga (17); Ryman aud, Nashville (18); Coliseum, Evansville, Ind. (19); Memorial aud, Louisville (20); Bijou, Knoxville (21); Plaza, Ashville, N. C. (22).

Littlefield Ballet—A. & M. college, College Station, Texas (12); Simmons U., Abilene, Texas (14); Aud, Ft. Worth (15); Fair Park aud, Dallas (16); Aud, Memphis (18); Aud, Vicksburg, Miss. (19); Lanier aud, Montgomery, Ala. (20).

'Male Animal' (Elliott Nugent)—Locust, Philadelphia (12-22).

'Man Who Came to Dinner' (Clifton Webb)—Aud, Memphis (12); Municipal aud, Shreveport, La. (13); Melba, Dallas (14-15); Waco hall, Waco, Texas (17); Texas, San Antonio (18); Music hall, Houston, Texas (19-20); Paramount, Austin (21); Majestic, Ft. Worth (22).

'Man Who Came to Dinner' (Alexander Woollcott)—Ford's, Baltimore (12-15); Community, Hershey, Pa. (17); Playhouse, Wilmington, Del. (18-19); Lyric, Richmond (20-22).

'My Sister Eileen'—Erlanger, Buffalo (12-15); Harris, Chicago (17-22).

'Night Must Fall' (Florence Reed, Douglass Montgomery)—His Majesty's, Montreal (12-15); Savoy, Hamilton, Ont. (17-19); Erlanger, Buffalo (20-22).

Original Ballet Russe—Royal Alexandra, Toronto (12-15); Court Square, Springfield, Mass. (17); Opera house, Boston (18-22).

'Philadelphia Story' (Katharine Hepburn) — Forrest, Philadelphia (12-15).

'Pins and Needles'—Studebaker, Chicago (12-22).

'Pygmalion' (Ruth Chatterton)—Biltmore, Los Angeles (12-15); Russ, San Diego (17); Municipal aud, Long Beach, Cal. (18); Lobero, Santa Barbara (19); Civic, Pasadena (20); White, Fresno (21); Memorial aud, Sacramento (22).

San Carlo Opera—Aycock aud, Greensboro, N. C. (12); Winthrop college, Rock Hill, S. C. (13); Aud, Augusta, Ga. (14); Municipal aud, Macon, Ga. (17); State Teachers college, Tallahassee, Fla. (18-19); City aud, Jackson, Miss. (21); Municipal aud, Shreveport, La. (22).

'Sim Sala Bim' (Dante)—Hartman, Columbus, O. (12-15); Hanna, Cleveland (16-22).

'There Shall Be No Night' (Alfred Lunt, Lynn Fontanne)—Curran, San Francisco (12-22).

'Time of Your Life' (Eddie Dowling)—National, Washington (12-15); Ford's, Baltimore (17-22).

'Tobacco Road' (John Barton)—Capitol, Steubenville, O. (12); Ritz, Clarksburg, W. Va. (13); Fairmont, Fairmont, W. Va. (14); Maryland, Cumberland, Md. (15); National, Washington (17-22).

Dante 8G in St. Loo

St. Louis, Feb. 11.

Dante and his 'Sim Sala Bim' magic show closed a two-week stand at the American theatre Saturday (8) in a two-day blizzard that froze b.o. activity. Piece copped an estimated $8,000 for 10 performances. First week grossed approximately $10,000. The house was scaled to $1.50. House was dark for three weeks before Dante's visit and again is dark currently.

Playgoers of St. Louis, Inc., has largest membership in history of the organization, but manager Paul Beisman has been unable to get shows. No shows are scheduled now until March 18, when 'There Shall Be No Night' comes in.

'HELLZ,' $36,000, SETS RECORD IN CINCY

Cincinnati, Feb. 11.

An all-time top for Cincy at $3.30 scale was made by 'Hellzapoppin' last week in the 2,500-seat Taft auditorium. After deductions for federal and state taxes the gross on nine performances was approximately $36,000. Show did a shade better than $9,000 on the matinee and night performance Saturday (8); both turnaways.

Wham pull was close to the local record by George White's 'Scandals' in 1928 at $4.40 top, which fetched $39,000.

Burg is taking a legit breather until Feb. 27, when Katharine Cornell comes into the 1,400-seat Cox for three days in 'Doctor's Dilemma' at $3.30 top.

'PHILLY STORY' LEGIT VS. FILM IN PHILLY

Philadelphia, Feb. 11.

There is plenty of interest and curiosity here this week concerning biz of 'The Philadelphia Story' (stage), in for third time and currently in opposition to the film version, now in its fourth very big week at the Boyd.

Judging by advance sale and opening night's attendance, stage version has no cause for worry.

Only legit competitor this week is 'The Male Animal,' which opens a two-week run at the Locust last night (Monday). Locust has been having a much more successful legit season than in 1939-40. Last week, 'The Time of Your Life' grossed estimated $17,500 for its second and final week there. Guild-Eddie Dowling show beat $15,000 in its first stanza.

'Claudia,' 5G, 'Talley,' $4,000, Split, N.H. Wk.

New Haven, Feb. 11.

Shubert split last week with 'Claudia,' in for four performances (3-5), and 'The Male Animal' adding three on the weekend (7-8).

'Claudia' drew nice press and favorable word-of-mouth to garner an approximate $5,000 at $2.75 top; good. 'Talley' fared okay at an estimated $4,000, ditto top, but failed to create any enthusiasm here. Originally skedded to open Thursday (6), that night's performance was cancelled due to ptomaine illness of Ina Claire.

'Foxes' 24G in Nighters

Memphis, Feb. 11.

Tallulah Bankhead's 'Little Foxes' snagged approximately $5,300 in single day's performances at Ellis Auditorium Saturday (8) afternoon and night.

Gross is exceedingly good, pretty nigh to capacity, especially in view of Bankhead's last visit here with show so bad it never reached Broadway ('I Am Different').

'Foxes' grossed $24,000 in one nighters last week.

B'way B.O. Brightest on Weekends; 'Lady,' 'Hattie' Each $32,000, 'Joey,' OK $22,000, 'Corn' Juicy $20,000

Estimates for Last Week

Key: C (Comedy), D (Drama), R (Revue), M (Musical), F (Farce), O (Operetta).

'Arsenic and Old Lace,' Fulton (4th week) (CD-938; $3.30). Ticket sale extends into late May; line at the boxoffice throughout the day for new laugh hit, which approximates $17,000 with standees.

'Boys and Girls Together,' Broadhurst (19th week) (R-1,160; $4.40). After next week scale will be lowered to $3.30 top; business off Thursday and Friday last week all along line; revue around $17,000.

'Boudoir,' Golden (1st week) (D-789; $3.30). Opened Friday (7); panned heavily by critics; chances doubtful.

'Cabin in the Sky,' Martin Beck (16th week) (M-1,214; $3.30). Saturday night and Sunday matinee capacity, but affected on other days like the field; take under $12,000 last week; will play into next month.

'Claudia,' Booth (CD-712; $3.30). Presented by John Golden; written by Rose Fraken; out-of-town reports favorable; opens tonight (12).

'Crazy With the Heat,' 44th St. (2d week) (R-1,364; $3.30). First full week of resumed engagement takings approximated $10,000; can just about get by at that level, but improvement anticipated.

'Flight to the West,' Guild (6th week) (D-956; $3.30). Has not improved as expected, despite favorable comment; serious drama on the Nazi subject around $5,000.

'George Washington Slept Here,' Lyceum (16th week) (C-1,004; $3.30). Eased off mostly because of Thursday and Friday (7); steady downpour on latter day hurt; around $8,000; will play matinee and night next Sunday.

'Hellzapoppin,' Winter Garden (125th week) (R-1,671; $3.30). Business still very strong; takings are remarkable for this stage of long run; around $25,000 and may stick into a third summer.

'It Happens on Ice,' Center (18th week) (R-3,087; $2.75). Usually off during the week, but excellent weekend attendance holds gross up; little off last week; close to $32,000 level.

'Johnny Belinda,' Longacre (21st week) (D-1,016; $3.30). Like most others, attendance was somewhat down last week; around $6,000 estimated; makes some money at that figure.

'Lady in the Dark,' Alvin (3d week) (M-1,357; $4.40). Newest sensation on Broadway; standees in all times and the gross better than $32,000.

'Liberty Jones,' Shubert (1st week) (D-1,405; $3.30). Opened last Thursday (6); reviews distinctly mixed; better line on chances this week.

'Life With Father,' Empire (65th week) (C-1,005; $3.30). This laugh show making a fortune with fine grosses here, Chicago and Boston; slight variance in takings; $18,000, which easily tops the other two companies.

'Louisiana Purchase,' Imperial (37th week) (C-1,450; $4.40). Very little affected last week, although pace has been under the levels of earlier months; was under-quoted; $27,000; only two three shows higher.

'Man Who Came to Dinner,' Music Box (69th week) (C-1,013; $3.30). Was slightly under previous week and, while not up with leaders as last season, is still turning weekly profit; nearly $11,000.

'Meet the People,' Mansfield (7th week) (R-1,000; $3.30). Theatre parties helped somewhat last week; Coast revue eased off to around $10,000; claimed to better even break at that figure.

'Mr. and Mrs. North,' Belasco (4th week) (C-1,000; $3.30). Had it not been for heavy rain Friday gross would have topped $10,000; takings approached that figure; satisfactory.

'My Sister Eileen,' Biltmore (7th week) (CD-991 $3.30). No question about this one having landed; quoted at better than $16,500; second company on the way to Chicago.

'Old Acquaintance,' Morosco (7th week) (C-948; $3.30). Hurt more than the others by Friday's storm; approximated $11,000, but expected to rebound to better money.

'Out of the Frying Pan,' Windsor (C-973; $3.30). Presented by Alexander Kirkland and William Rogers Deering; written by Francis Sawn; opened yesterday (Tuesday).

'Pal Joey,' Barrymore (7th week) (M-1,104; $4.40). One of the musical clicks that should be among the summer stayers; matinees somewhat off but evenings se" out; $22,000.

'Panama Hattie,' 46th St. (15th week) (M-1,347; $4.40). Not affected by newer arrivals and continues to play to standees all performances for gross of more than $32,000.

'Popsy,' Playhouse (C-865; $3.30). Presented by Ted Hammerstein, Denis Dufor and Hugh Skelly; written by Frederick Herendeen; opened Monday; severely panned.

'Separate Rooms,' Plymouth (46th week) (C-1,107; $3.30). Well out in front; although the grosses are moderate, operating expense is ditto; again approached $9,000.

'Tanyard Street,' Little (1st week) (D-520; $3.30). Was panned and announced to close Saturday (8); plan changed and relighted last night (Tuesday) after good Saturday night; about $5,000 in seven times.

'The Corn Is Green,' National (11th week) (D-1,162; $3.30). Standees in all performances for imported drama, which was first straight play hit of season; $20,000.

'The Mechanical Heart,' Miller. **'The Mechanical Heart,'** Miller. Again postponed; first called 'The Talley Method'; due Feb. 24.

'Tobacco Road,' Forrest (373d week) (C-1,107; $1.10). Sundays appear to be keeping long stayer on the list; rated around $4,000 and a small profit registered.

Revivals

'Twelfth Night,' St. James (11th week) (D-1,526; $4.40). Going on tour after another three weeks; started very big, but has been easing off lately; around $16,000.

'Charley's Aunt,' Cort (17th week) (C-1,064; $3.30). Expected to stick into spring period; unusual for revival to play that long; somewhat off lately, but okay; rated over $8,000 last week.

'STORY,' $27,000, TERRIFIC IN HUB

Boston, Feb. 11.

'Life With Father' began its 20th week Monday, with two more to go and is still enjoying a healthy trade. Katharine Hepburn jammed the Colonial every performance last week with her single-week return engagement in 'Philadelphia Story.' According to indications, it's going to be very quiet around here for the next month, unless some unexpected bookings turn up.

Estimates for Last Week

'Philadelphia Story,' Colonial (one week) (1,643; $4.40)—SRO all week and could have held over. Theatre Guild subscribers' cut rate prevented new record, but tally of $27,000 is smasho for any show in this house.

'Life With Father,' Civic Repertory (19th week) (965; $2.75)—'Last Two Weeks' sign is out and the final rush indicates a glorious finish for this show, which has been the talk of the season here. Took $14,500 for 19th stanza.

Ballet 23G in Montreal

Montreal, Feb. 11.

Ballet Russe, in six nights and two matinees at His Majesty's, got away last week (3) with gala performance attended by Governor-General and Princess Alice.

Standees first two nights and big biz balance of week grossed approximately $23,000.

NOW APPEARING AT EARL CARROLL'S THEATRE HOLLYWOOD, CAL.
Mgt., LOU CLAYTON

EDDIE GARR
CO-STARRING
IN RECORD BREAKING
"HELLZ-A-POPPIN"
ON TOUR
Mgt.: WM. KENT
1776 B'way, New York

OBITUARIES

ARTHUR A. PENN

Arthur A. Penn, 65, comic-opera composer who scored his greatest success in the pop field with 'Smilin' Through,' which he wrote in 1919, died Feb. 6 at his home in New London, Conn., after a long illness. The title of his song was later as a title for a Jane Cowl-Jane Murfin play and two films.

Penn, who wrote more than 30 operettas, was born in London and came to the United States in 1903. A descendant of William Penn, founder of Pennsylvania, he had served as drama and music critic for several provincial English dailies before turning to songwriting.

Penn's tunes failed to appeal to the American public. After an unsuccessful publishing venture in San Francisco, he later became a piano salesman and at one time was a press agent for the old Essanay studios. 'Smilin' Through' resulted from a prosaic ride on the Long Island Railroad. Inspired by an advertising placard, Penn wrote the words and music in 20 minutes on the back of an envelope.

Among his operettas were 'Yokohama Maid,' a musical which found much favor with amateur producers; 'The China Shop,' 'Rose of the Danube,' 'Your Royal Highness,' 'Captain Crossbones' and 'The Lass of Limerick Town'. He also wrote two pop songs, 'Carissima' and 'Sunrise and You, which he considered much better compositions than 'Smilin' Through' though they never won any degree of popularity.

Surviving is his widow, Eleanor. Funeral services were held in New York and cremation followed at the Fresh Pond Crematory, Queens, N. Y.

ANDREW G. HETTESHEIMER

Andrew G. Hettesheimer, 73, active in theatrical business in Cincinnati since 1880 and a pioneer in the motion picture field, died Feb. 5 in a Cincy hospital four days after suffering a heart attack at his home. For the past five years he managed the Norwood theatre in Norwood, suburb.

At the age of 12 Hettesheimer was a boxoffice helper at Henck's theatre, Cincy, and later moved up to treasurer. Next he became treasurer of Pike's Opera House, also of Keith's during its early years of two-a-day vaude. He was treasurer of the Cincy Baseball club for a few seasons and managed the Orpheum, hilltop theatre that started with vaude and went into pictures. In 1918 he joined Ike Libson as supervisor of the latter's downtown string of cinemas.

Hettesheimer was a v.p. of the Ohio Motion Picture Theatre Association, filled the same office for the Greater Cincinnati Independent Exhibitors, and was on the Cincy examining board of projectionists.

Survived by widow, two sons, William G., of Philadelphia Inquirer, and Edward C., and two married daughters.

LOUIS HARTMANN

Louis Hartmann, 64, one of the theatre's foremost lighting technicians, who for 30 years had been chief electrician for David Belasco and more recently was chief assistant to Harry Braun, director of sound operation and maintenance at the Radio City Music Hall, N. Y., died of a cerebral hemorrhage Feb. 9 at the Roosevelt hospital, N. Y. He collapsed the night before while on his way home from work.

Hartmann's wealth of experience went back to the gaslight era, when he began as a prop boy in 1890 at the old Hammerstein Harlem Opera House, N. Y. Joining Belasco in 1901, he remained with the producer until his death some 10 years ago. Much of his lighting discoveries and technique were incorporated in his book, 'Theatre Lighting,' published shortly before Belasco's death.

He leaves his widow and a brother. Funeral services were held in New York yesterday (Tuesday).

ALBERT G. BARON

Albert G. Baron, 50, general stage manager for Ed Wynn and who had been a close associate of the star for the past dozen years, died Feb. 9 at his hotel in midtown New York. Since stricken with a heart attack two weeks ago he was unable to work with Wynn's latest musical, 'Boys and Girls Together.'

Before joining Wynn Baron had been with late Florenz Ziegfeld and had appeared in a number of musical comedies, including 'The Desert Song.' Though he was Wynn's confidential secretary besides acting as his general manager, Baron did not retire as a performer as it was his custom to have a small part in the various Wynn shows.

His widow, Mildred, survives.

ARTHUR B. (BANJO) PATERSON

Arthur B. (Banjo) Paterson, 76, author, lyricist and former Australian war correspondent, died Feb. 5 in Sydney, Australia. Though he was born Arthur Paterson, the son of a sheep rancher, he assumed the name of Banjo from a race horse he had once owned.

The writer of many popular Australian ballads, Paterson was also considered an authority on songs of the Australian Bush and at one time edited an anthology of such music. Besides covering the major wars of the past 50 years for several Australian newspapers, he was a novelist and a prolific writer of verse.

HOPE NEWCOMBE

Mrs. John M. Thomas, 38, who was Hope Newcombe professionally, died in New York Jan. 29 of a heart attack.

Miss Newcombe was formerly associated with the North Shore Players, Marblehead, Mass.; managed the County Playhouse, Westport, Conn., for Lawrence Langner, was in the office of Theresa Helburn when the latter had a play-reading bureau and was registrar of the Dramatic Workshop of the New School for Social Research, N. Y., at the time of her death.

WALES WINTER

Wales Winter, 78, founder and president of the Wales Winter Dramatic agency who retired four years ago, died Feb. 8 in Glen Cove, L. I. Ill for a month, he had been a resident of nearby Manhasset.

A graduate of the American Academy of Dramatic Arts, N. Y., Winter started his career as an actor, but after three years of trouping formed his agency, long a familiar institution to Broadway.

Surviving are his widow, Mabel; a daughter, Mrs. Lois Beach, and a sister.

GEORGE C. WILLINGS

George C. Willings, 52, retired publisher and Florida radio executive, died at Pensacola, Fla., Feb. 8, following a heart attack, two weeks before. Born in Liverpool, England, Willings received his A. B. degree at the College of Preceptors in England in 1906. Was successively railroad traffic manager for the Gulf, Florida and Alabama Railroad, publisher of the Pensacola News Journal and executive v.p. of the Perry Newspapers and radio interests in Florida.

ART KRAFT

Art Kraft, 44, blind pianist and well-known performer on Buffalo airwaves a decade ago, died Feb. 6 at a heart attack in his Buffalo home.

Kraft lost his sight shortly after birth, but became an accomplished pianist who transcribed music into Braille, although he himself played by ear. He started on old WMAK, went later to WEBR and WGR. Before his death he played on municipally-owned WSVS.

Surviving are his stepmother, stepbrother and stepsister.

KATHARINE LARGE

Katharine Davidson, professionally Katharine Large, veteran legit actress, died Feb. 5 at the home of a niece, Mrs. Frank Winters, in Newark, O.

Miss Large started her career at 17, married Charles Large, violinist, who died, and later she wed W. H. Davidson, an actor, who died 1909. Deceased retired in 1907. She played leading roles in such plays as 'Under the Gas Lights,' 'Marble Heart,' 'Lady Audley's Catch' and as Aunt Ophelia in 'Uncle Tom's Cabin.'

JOHN M. MURRAY

John M. Murray, 55, one of the original members of the Dumbells, Canadian World War-time troupe, died at St. Joseph's hospital, London, Ontario, last week, after being stricken with a heart attack at his London home. Murray, for several years had worked for a London lithographing firm. He had been ill for some time.

Deceased captained in the last war with the Canadian army.

ROSA GORE

Mrs. Minnie Lyon, 74, stage and screen actress known professionally as Rosa Gore, died Feb. 4 in Hollywood. Teamed with her husband (Crimmins and Gore) she toured the vaudeville houses of the United States and Europe from 1878 to 1912. She entered pictures with Pathe in New Jersey in 1912 and moved to Hollywood in 1917.

Surviving are her husband, Alexander M. Lyon, and a son.

GEORGE C. PALMER

George C. Palmer, 65, owner and manager of the Palmer Opera House, Cuba, N. Y., died at his home in that village Feb. 5 after a long illness. His opera house was a road show stand for many years. In addition to his theatrical activities he was undertaker and furniture dealer and served as village postmaster.

Widow survives.

HARRY BUSH

Harry (Senator) Bush, 56, veteran songplugger, died Feb. 1 in North Hollywood. The nickname of 'Senator' was hung on him years ago by Ben Berni

For 30 years Bush was professional contact for music houses from New York to California. His last job was with Jack Robbins in San Francisco.

DAVID W. BANKS

David W. Banks, president of the Theodore Presser Co., music publishers, Philadelphia, died last Tuesday (4) in Woburn, Mass.

Banks had been associated with the Presser Co. since 1922 and was named president in 1937. He was a member of the board of directors of the Presser Music Foundation, Philly.

ANNA G. MURRAY

Anna G. Murray, 48, former Broadway actress, died Feb. 6 at Atlantic City hospital after year's illness.

Mrs. Murray, who went to A.C. from New York five years ago, was actively identified with the Catholic Actors' Guild.

RAMONA KEOGAN

Ramona Keogan, actress who toured in the road company of 'Rose Marie' and once appeared with Tyrone Power, Sr., died Feb. 6 in Minneapolis of leukemia.

Leaves a brother, George Keogan, basketball coach for Notre Dame University.

E. B. PICKARD

E. B. Pickard, sales manager of WPID, Petersburg, Va., died of a heart attack Feb. 1 in Petersburg. He was stricken while at a doctor's office for examination.

He was a brother of 'Dad' Pickard, of the Pickard Family, radio troupe.

TEDDY JOYCE

Teddy Joyce, 36, Canadian-born bandleader, who achieved his greatest prominence in England, died in Glasgow Monday (10).

Further details in music section.

HERBERT (REED) BARDEN

Herbert (Reed) Barden, announcer at WGR-WKBW, Buffalo, died of a heart attack Feb. 5 in Buffalo.

Further details in radio section.

Philip W. Melick, 56, projectionist in Albany theatres since 1907 and an organizer of Local 324, died at his home in Albany after several months' illness. Widow, three brothers and a sister survive.

George (Doc) Oberheiman, 70, veteran Cincinnati stagehand, died Feb. 7 at his home. Three sisters and a brother survive.

Nellie Lawanda, 64, widow of Hugh Lawanda, strong man for many years in circuses of P. T. Barnum, died in Detroit Feb. 4 of pneumonia.

Father, 86, of Robert Young, film actor, died in Los Angeles, Feb. 11.

MARRIAGES

Rita Thompson to Dick Hamilton, in Ensenada, Mexico, Feb. 7. Both are in the makeup department at 20th-Fox.

Nancy Fogwell to Leonard Finch, Feb. 7, in Los Angeles. He's on CBS publicity staff in Hollywood.

Dorothy Andrea to Earl C. Sitar, in Hollywood, Feb. 8. She's a screen player; he's a sound man for Edward Small.

Olga Alexander to James Gow in Beverly Hills, Cal., Feb. 6. Bride is secretary to Hal Wallis at Warners; he's a scenarist.

BIRTHS

Mr. and Mrs. David Hacker, daughter, in Hollywood, Feb. 5. Parents are stage and screen players.

Mr. and Mrs. William P. Maloney, daughter, Feb. 4, in New York. He's press agent for Kate Smith.

Bills Next Week

Continued from page 39

Pearl Magley Gle
Pete Viera Ore

Statler Hotel

Desi Arnaz
Fausto Curbelo Ore
Gloria Hart
Orlando
Grayce & Graham

San Diego

George Presnell
Al Alexander Ore
Dan Merryman

PITTSBURGH

Anchorage

Hugh Morton Ore
Maynard Doane

Arlington Lodge

Phil Cavezza Ore

Bachelors' Club

Al Turner Ore
Francee McCoy

Balconades

Joe Villella Ore

Bill Green's

Clyde Knight Ore
Janet Lee
Herb Rohrer

Boogie-Woogie Club

Boog Sherman
Jezz Nutz
Buddy Walsh
Nutsy Fagan
Harry Comorada
Pecky McFarland
Tiny Miller
Bernie Crawford

Club Petite

Piccolo Pete Ore
Mary Kirby
Bernie Lambert
Ted Delmonico
Betty Benz
Betty Beegle

Cork and Bottle

Jack Davis

Eddie Peyton's

Bill Campbell Ore
Caroline Moore
Mabel Harold
Marion Muller
Eddie Peyton

El Chico

Ciro Rimac Ore
Estrellita Pena
Aizlro Camargo
Clinita Marin
Charley Boy

Hotel Fort Pitt

Ken Bailey Ore
Johnny Mitchell
Jessica Wheatley
Harry Walton
Irma Gutbrod

Hotel Henry (Silver Grill)

Billy Treacher Ore
Sandy Davidson
Flo Parker
Jean Woods

(Gay 90's)

Dorothy Nesbitt

Hotel 7th Avenue

Bess Saunders
Ida Iola
Everett Hayden
Betty Donahue
Shirley Heller
Al Devlin

Evergreen Gardens

Red Clarke Ore
Ebbie Schaub
Paula Harvey

Hotel Elle

Olga Mundy Ore

Hotel Roosevelt

Ted Blak
Mon Abbott

Hotel Schenley

Billy Hinds Ore
Patty Dixon
Buzz Mayer

Hotel Wm. Penn (Chatterbox)

Baron Elliott Ore
(Continental Bar)
Frank Andrini 4

Merry-Go-Roun

Dead Hunt Ore
Jeanie Regan
Billy Carmichael
Huntsmen

New Penn

Henry Biauth Ore

Nixon

Al Marisco Ore
Bob Carter
Lester & Irma Jean
Thomas Bros.
Norma Shea
Starlets

Nut House

Dale Hennes
Ray Neville
Pat McGowan
Joey Reynolds
Chuck Wilson

Oasis

Louis Pope Ore
Margie Kraber

Orchard

Jimmy Gamble Ore
Jay Loring
Chuck Miller

Pines

Bill LaVere Ore
Tony Rozance
Ray Englert

Yacht Club

Jack Watson Ore
Lita & Lee
Yachtsmen
Betty Chandler
Harry Schillin
Bert Nagel Co
Tom Hall Trio

Sky-Vue

Mickey Rees Ore
Sky Pilots

Union Grill

Art Tagelio
Frank Natale
Mike Sanderetto

Villa Madrid

Etsi Covato Ore
Mark Lane
Stepin Fetchit
Abdul Wonder
3 Crandyls
Dolores La Mont
Kay & Kay
Dewey Moon

MIAMI

Beachcomber

Xavier Cugat Ore
Miguelito Valdes
Carlyle Blackwell
Chavez Ore
Tropical Dano

Carrousel

Ina Ray Hutton Or
Velero Sis Ore
Sammy Walsh
Kerry Stevens
Nancy Hunt
Patty Ortell
Stuart Foster

Club Bali

Tommy Nunes Ore
Peggy Fears
Olivette & Murray
Merle & Gaylor
Alfredo Seville
Ball-ettes (12)

Club Esquire

Worthy Hills Ore
Hernandez Ore
Cross & Dunn
Terry Lawlor
De Angelo & Porter
Howard Brooks
Esquirettes (8)

Club To Fee

Mylee Bell Ore
Wanda Lee
Armond & Juliana

Colonial Inn

Paul Whiteman Ore
Harry Richman
Sophie Tucker
Joe E. Lewis
Chandra Kaly Danc
Marianne
Ann Sutherland
Armando Ore

Cuban Casino

Eva Ortega
Harriette Henning
Nan Blakestone
Tropic Beauties

Don Lanning's

Dorle Sherrill
Roberta Sherwood
Jimmie Hodges
Marie Lewis

El Chico

Ralph Cook
Marilyn Foster
Gloria Lucana
Lytell Dana

Five O'Clock Club

Pancho Ore
La Playa Dano

Hotel Dempsey-Vanderbilt (Fago Fago Room)

Bobby Parks Ore
Vincent Braggale Or
Terry Lawlor
Leon & Mace

Don Francisco Starr & Maxine

Verne's

Bert Nolan
Boyd Senter
Toy Yat Mar
Patty Jordan
Harry Collet

Whittier Hotel (Gold Cup Room)

Tony Faiti

Wonder Bar

Sammy Dibert Ore

Rogers & Morris
Gaye Dixon
Manhattanettes

Rhumba Casino

Alex Hatkin Ore
Pantaslas Rhumb's
Desi Arnaz
Marimas
Rosita Rios
Raul & Ev Reyes

Royal Palm Club

Abe Lyman Ore
Oscar Rose Ore
Paul Haakon
Janeleys
Milton Berle
Royal Guards
Alexis Rotov
Rose Blaine

Slapsie Sadie's

Dixieland Ore
Johnny Pineapple O
Bob Berry
Denlo

Slapsy Maxie's

Babe Russin Oro
Maxie Rosenbloom
Joe Frisco
Cully Richards
Sammy Lewis
Patty Moore
Carolyn Marsh
M Garretson

The Drum

Val Olman Ore
John Buckmaster
Stuart & Lee
Diana Courtney

Villa Venice

Harry Rogers Ore
Moore & Revel

Wit's End

Tony Cardona
Jose Tomas Ore
Lenny Kent
Rollins
Rae Marsh
Rita Rennaud
Sharon Lynne Dans

Rules for Actors

Continued from page 1

playing his houses. It is noticeable that Weitman is especially trying to eliminate the devil-may-care manner of the ballroom-trained musician and will also make them wear makeup.

Posted in All Rooms

The Emily Post lexicon on good behavior by actors will be posted in all dressing rooms backstage at the N. Y. Paramount, and probably all other Par stage show houses over the country follows:

1. Neatness of dress must be adhered to, except by such performers who work in misfits or tramp costumes. Faces must be clean-shaven. Linens must be clean and shoes shined before the musicians or performer appears before the audience.

2. All persons appearing on the stage must wear makeup. This rule includes musicians and their leader. A makeup expert will be available opening day of each engagement to the musicians, to whom makeup apparently is foreign. All musicians, specialties and acts must be fully ready for performances at least 30 minutes before each scheduled show-time.

3. This is a family theatre, hence all material must be in accordance. No double entendre or outright smut is permissible.

No Mugging

4. No performer, musician or leader shall talk or mugg while another performer is working. In plainer language, nothing must be done by anybody on the stage that would tend to distract the audience from the performer then holding the spotlight. This most certainly applies to musicians and their leader talking amongst themselves; or laughing at some private joke; or cleaning and handling their instruments; or tuning up; or mopping their brows and blowing their noses. And don't chew gum while on the stage.

5. One of the flagrant offenses of performers is the milking of applause, bows and subsequently encores. There are a number of tricks by which this is done. Don't use any of them when playing the Paramount. Do your act, take your appiause, but do not hold up the show.

6. Don't make snide remarks about the audience, or any person or persons in it.

7. Don't talk back to the audience, or cater to any particular element in it.

8. If you are not prepared to play or sing all the numbers asked, do not ask an audience to request their favorite tunes. Better yet, do not make any such offers at the Paramount. That eliminates the major reason for audiences, especially at the early shows, getting unruly.

9. Regardless of your outside troubles, never appear as though you are doing the audience a favor by performing. The audi- knows you're being paid, so make it appear as though they are doing you the favor by listening to you.

10. If the audience doesn't respond to your orchestra number, song or act, don't make your disappointment obvious.

11. While the audience is not always right, give them the benefit of doubt. You'll find they will like you better for it.

Teddy Wilson small combo has been set for its first date outside New York. It goes into the Pump Room, Ambassador hotel, Chicago, Feb. 21.

Broadway

Ben Bernie back on Broadway.

Neil Agnew at home battling the flu.

Bob Milford is back with Chicago company of 'My Sister Eileen.'

Dario to Miami Beach for a rest; ditto Ted Saucier of the Waldorf.

Jean Dalrymple had ptomaine attack but quickly snapped out of it.

Jack Forrester to the Coast to line up his new film production company.

The Bennett Cerfs to Nassau on a holiday this weekend. Taking a cottage.

Manie (Duck) Sacks back from a Columbia recording session in Chicago.

Phil Baker to take a return engagement vacation in Nassau next week.

Betty Levey, stenog at Equity, fell down stairs there and lacerated both legs.

Louis Shurr back to Hollywood next week. Agent has been east some months.

Hal Roach due in New York in about two weeks with a print of 'Topper Returns.'

Robert Young left Sunday night (9) for Coast, soon to go into 'Lady Be Good' for Metro.

Milton Blackstone, the adman, to Miami Beach to o.o. Beachcomber and Grossinger accounts.

Al Wilkie, vacationing in Miami, hit a $251 horse at Hialeah. He had the nag across the board.

Dorothy Kay and baby to Frisco, her home town, sans her husband, Ted Friend of the Mirror.

Steve Pallos, Alexander Korda's eastern rep, due back in New York from the Coast this week.

Jim McGovern, of Par's accounting forces, has had to give up bowling because of a frisky knee.

Hays office lost Eric Stone and Clinton Allen, steno-clerks, to the 207th Anti-Aircraft regiment.

Gloria Swanson's niece is half of Byrnes and Swanson, dancers, opening at Leon & Eddie's Feb. 14.

Stanton Griffis left yesterday (Tues.) for Florida, and Barney Balaban goes there Friday (14).

Irving Lazar, MCA nitery booker, couldn't make the Havana hopover from Miami; back in N. Y. now.

Dennis Morgan, Warners singer-actor, to debut as a concert artist. Being booked by WGN Concerts.

Leland Hayward planed back to the Coast Monday (10) after five-day visit east on routine agency biz.

Carmen Amaya, flamenco dancer at the Beachcomber, renewed by Monte Proser to a new 10-week contract.

Fred Waring, for a spell last week, wore a miniature placard explaining his crutches as resulting from a ski accident.

Elsie Houston closes Saturday (13) at the Brevoort, N. Y., goes to Mexico City for an engagement and then to South America.

Jack (and Bob) Heasley, of the figure-skating team at St. Regis hotel, hospitalized in St. Vincent's with appendectomy.

Local 306, operators, holding entertainment-dance tonight (Wed.) for the benefit of its sick fund at the Manhattan Center.

Pan-American Press Club, Inc., has been chartered as a non-profit membership corporation. Leo Pfeffer filing attorney.

Leslie Whelan, 20th-Fox foreign publicity boss, back at his desk after nearly a month spent at the studio going over new product.

M. L. Van Slyke, formerly in the picture business and also a p.a. at the World's Fair, is handling the Hearst art sale at Gimbel's.

New Baroque, too close to the Stork Club on East 53d, continues as straight restaurant until its cabaret license is straightened out.

Barbara Semple former p.a. at Hotel St. Regis, wed to Fred J. Tannwitt, new head of Associated Press bureau in Grand Rapids, Mich.

J. J. Speer, Paramount auditor, is in the hospital suffering from burns which he received in a fire which destroyed his house in the Bronx.

Ona Munson, east several weeks to appear opposite Edward G. Robinson in radio's 'Big Town' serial, leaves for Hollywood tomorrow (13).

The Batista excitement in Cuba almost caused Jack Robbins to defer his month's congarhumba inspection trip there, but he made it none the less.

Glenn Ford, east several weeks for tieups on 'So Ends Our Night,' in which he appears, returned to Coast Monday (10) for Columbia assignment.

Hortense McInerney, wife of Jack McInerney of the Paramount, who has been in Miami recuperating from a heart condition, returned Saturday (8).

Sol Shapiro of the William Morris agency accompanied Clifford C. Fischer to Rio de Janeiro on their South American exploratory o.o. of theatres.

The Lambs gifted young Robert Shaw with a wrist-watch in appreciation for his intensive rehearsal efforts with the recently formed glee club.

Sam Izzeks, attorney who figured importantly in the Par bankruptcy in representing the receivers, is now on the Federal prosecuting staff in New York.

Danny Kaye making an album of 'Lady in the Dark' tunes (Ira Gershwin-Kurt Weill) for Columbia. Comedian continues doubling into La Martinique for eight weeks.

Next Sunday (16) sees first of six Sunday swing concerts at Le Ruban Bleu, inducted by boniface Herbert Jacoby, with Mildred Bailey, Teddy Wilson and Clarence Profit Trio.

F. L. Harley, 20th-Fox managing director in Great Britain, presently on a visit to U. S., has gone to Palm Beach for a vacation after looking at new films at the Hollywood studios.

Guy Kibbee, who arrived in New York, Monday (10), left after one-day stay for Montpelier, Vt., where he'll p.a. with preem of 'Scattergood Baines,' in which he's starred.

Harry Pilcer's Chateau is the idea of an intime boite that Monte Proser may bankroll next season with Roy Fox or Jack Harris' bands, both as w.k. in London as was Pilcer in Paris.

RKO-Radio Pictures publicity-ad-exploitation department moves the end of this week from its present quarters in the RKO Bldg to the 10th floor. Theatre pub-advertising stays on the 12th floor.

The Boris Karloffs have taken an apartment in New York, so Mrs. Karloff goes to the Coast this week to bring some of their possessions east. She hopes to return by motor. He's in 'Arsenic and Old Lace.'

Francisco Ibarra who tutored the CBS shortwave watchers on Spanish pronunciation and grammar, and also taught Spanish to CBS v.p. Lawrence Lowman and his wife, is doing the same for the Bennett Cerfs and others.

The Clifford C. Fischers had to buy the second steward's cabin on the S.S. Brazil due to the Cruise-to-Rio-Carnival on this past weekend sailing being 100% capacity. Showman going down to o.o. theatres preparatory to his 'Folies Bergeres' tour starting in May.

St. Louis

By Sam X. Hurst

Johnny Perkins in St. John's hospital for physical checkup.

Carl Ravazza band back at the Chase Club for the third time in past 12 months.

Pete French, local Burton Holmes, readying for a trip to Dutch Guiana for material.

Burton Holmes begins annual series in opera house of Municipal Auditorium Monday (24).

One performance of Littlefield Ballet last week filled opera house in Municipal Auditorium.

Anne Gwynne, native, clicking in Hollywood. Has a part in 'Nice Girl,' in which Deanna Durbin is starred.

Leo Lederer has lead in 'By The Rivers,' a full length-technicolor talker being made here by Larry Lederberg.

With $101,000 of the $135,000 St. Louis symph orch maintenance fund reached, execs will prolong drive in effort to obtain the full amount.

Joseph Szigeti, Hungarian violinist, will be guest artist with the St. Louis Symph orch (14-15). It will be his first personal here since 1926.

Rapid work by firemen prevented the Mikado, a west end nabe of the St. Louis Amus. Co., from catching fire when adjoining buildings burned last week.

Steve Cady, who shuttered his midtown nitery after a tiff with the law, vacationing in Miami. Hasn't determined if he'll reopen when he returns here.

George Tyson, general manager of the 'Ice-Escapades of 1941,' was on the advertising staff for the Skouras Bros. when they flourished here about 10 years ago.

Paul Robeson will recital in the opera house of the Municipal auditorium Feb. 17 under the direction of Entertainment, Inc., a new concert-booking agency.

Frank J. Langley, operator of a South St. Louis nitery, indicted for selling liquor without a state license. Maximum penalty is five years in the stir and a $1,000 fine.

First venture of Entertainment Inc., headed by Paul Beisman, manager of the American theatre, is the personal of Paul Robeson in opera house of Municipal Auditorium next week.

'Love From A Stranger' will be produced at the Little theatre by Gordon Carter, starting Monday (17). Cast includes Harry Gibbs, Elsie Yehling, Russell Yaeger, Mathilde Leimkuehler, Jean Drewett, Gordon Ashley, Dale Douglas and Eileen Murphy.

Kansas City

By John Quinn

Ink Spots will make a one-night stand in the many auditorium arena on their tour across country.

Ben Kalmanson, Warner sales exec, making a short stop in town while enroute from Palm Springs to N. Y.

Barney Joffee of the Tower setting date for Matty Malneck and band and angling with Ted Lewis for date in late spring.

Monroe Rubinger, Warner zone exploiteer, in confabbing with Jerry Zigmond at the Newman on campaign for 'Flight from Destiny.'

Hamid-Morton indoor circus set for police relief show in the muny auditorium for five days beginning March 4. Manager Gene Zachman also announcing setting of national sport show for May dates.

Paris

Cycling banned in Paris on Sundays.

Nabe house Noctambules unshuttered.

Paris Bourse will not be closed on Saturdays.

Special permit now required to live in Vichy.

Pic actor Pierre Brasseur entertaining over radio.

Metro (subway) only means of transportation in Paris.

R. L. Stevenson's 'Treasure Island' a best-seller in Paris.

Newsreels now shown in Paris showcases in semi-obscurity.

Paris traffic violators now obliged to pay 15-franc fines on spot.

Alfred Cortot and Jacques Thibaud concerted at Vichy Casino.

Jany Holt starring in George Bernard Shaw's 'St. Joan' at the Avenue.

Telegraphic services reestablished between occupied France and Germany.

Leonce Calvy named head of radio by Vichy government to succeed Hubert Devillez.

Franz Lehar directed own operetta, 'Le Pays du Sourire,' at the Gaite Lyrique theatre, Paris.

'La Revue Universelle,' well-known French publication, reappearing after suspension in June.

German picts showing at the Normandie, Marbeuf, Lord Byron, Colisee, Moulin Rouge and Triomphe in Paris.

'Leocadia' at Michodiere, with Yvonne Printemps, Pierre Fresnay and Victor Boucher, still going strong.

Football match between occupied and nonoccupied zone teams slated for Parc des Princes in Paris on March 5.

Pierre Labriolle, writer, historian, Latinist, member of the French Institute and professor at the Sorbonne, is dead.

New ABC revue in Paris by Jean Boyer and Michel Duran, with Edith Piaff, Mauricet, Suzanne Dantes and Robert Arnoux.

Henny Lartigue, of Ciro's, now directing Theatre Avenue and is soon to open a variety house on the Champs Elysees.

Pierre Mille, 87, died in Paris. Was novelist, dramatist, newspaperman and president of the Academy of Colonial Science.

French press mistakingly carried death of novelist Marc Chadbourne. Death, however, came to another novelist, Felix Chadbourne.

New German paper, Pariser Zeitung, started publication in Paris for Germans living in France, to substitute for Deutsche Zeitung in Frankreich.

Actress Corinne Luchaire robbed in Paris of furs and jewelry she left in car. She says total loss was 400,000 francs (about $8,000).

Jean de Pierrefeu, author and framer of the 'war communiques' between 1914-1918, died at Roanne recently at the age of 62.

Saint Granier heads new show at Theatre Michel entitled 'Revue de Rip' with Mireille Pierry, Suzanne Dehelly, Monique Rolland and Guy Riviere in cast.

Jacques Copeau preemed own play, 'La Nuit des Rois' ('Epiphany'), at Comedie Francaise, which he's directing. Was a hit at Vieux Colombiers years ago.

'Revue Rob,' which is a French version of Reader's Digest, made reappearance in Vichy. Founder Pierre Paillard fell on the field of honor on May 19, but his staff carrying on.

Roger Capgras presenting 'Les Baladins' ('The Buffoons'), with Pierre Blanchard, Jacqueline Francel, Pasquali, Marcel Vallee at the Marigny. Music is by Konstantinoff.

Two Paris revivals, 'Mon Gosse de Pere,' by Leopold Marchand, at the Daunou, and operetta 'Mousquetaires Au Couvent' at Heri Varna's Mogador, with tenor Andre Bauge in main role.

Madrid

By Joseph D. Ravotto

Jose Torres, Fox cutter, left Madrid for Hollywood.

Documentary 'Seminario' being turned in Barcelona.

Maurice English, Chicago Trib correspondent, left Madrid for good.

Jean Choux, Victor Torjanski and Gez Bovary signed to do Spanish pix.

New chief of the Madrid Theatrical Syndicate is actor Fernando Fernandez de Cordoba.

Franco and family saw private showing of 'Snow White,' which has finally been sold in Spain.

Exteriors for RKO's Spanish production, 'El Crucero Baleares' ('Cruiser Balcares'), finished.

Jose Garcia, more familiarly known as 'Maera' and considered one of Spain's greatest matadors, is dead.

Three-act comedy succeeded Conchita Piquer at Alcazar, featuring Aurora Redono and Valeriano Leon.

John Lloyd, Madrid AP bureau chief, to be succeeded by Harry Feltz, who is coming from Switzerland.

Conchita Montenegro, who left Hollywood in 1935, just returned from Rome, where she made five films.

Julien Duvivier's 'La Fin du Jour' and 'La Charrette Fantome,' showing in Lisbon, received favorable press comment.

German scenario writer Joseph Busch back from Berlin, where he prepared two scenarios for Spanish productions.

German radio announcement picked up here said that 24,000 refugees had left Lisbon for North America during 1940.

Ugo Bianchi, Italian cameraman and Luce (film company) representative in Spain, may do a series of documentary pix while here.

Famed French boys' choir, Chanteurs de Croix de Bois, now touring Spain, gave wildly applauded recital at the National theatre in Madrid.

Spanish pictures, 'Florista de la Reina' ('Queen's Florist') and 'Rapteme Usted' ('You Kidnap') preemed at the Callao and Rialto, respectively.

French pic, 'Mayerling,' with Charles Boyer and Danielle Darrieux, now showing at Palacio de la Musica in Madrid, with suicide angle cut out.

Augusto Garcia Vinolas, chief of cinema at the Ministry of the Interior, off to Lisbon. He is also director of the new Spanish cinema weekly, Primero Plano.

German pic director Geza von Bolvary to initiate career in Spain with a musical comedy for Ulargui Films. Russian megger Turjansky also to work for same firm.

Ambassador Alexander Weddell gave cocktail party in honor of Lyle Wilson, Washington bureau chief for UP, with American, British and Spanish pressmen invited.

'Captains Courageous' unofficially rated as best foreign pic in Spain for 1940, while 'Sin Novedad en el Alcazar' rated best Spanish pic of year, although made in Italy, with major roles taken by non-Spaniards.

Blanca de Silos, new stage find, to appear in 'Orgullo de Albacete' ('Pride of Albacete'), with Juan de Orduna. Joseph Busch piloting, and it goes on lot this month. Soriano, who did French pix 'Bandera' and 'Vieille d'Armes,' is the producer.

French director Jean Choux' first pic in Spain for Ulargui will be a Spanish operetta, 'La Bella Galatea,' with Juan Pena, who spent five years in Hollywood, coming back for civil war, and Miguel Ligero. Hope to get a French actress for main femme role.

Hans Rothe is in Spain. Recalled, he worked with Max Reinhardt and translated 22 Shakespearean plays in German, modern version, eventually resulting in his downfall, Joseph Goebbels banning his translations. Presently working on several new plays, planning to produce them and eventually hopes to get to the States.

Olvida Pelaz of Ovieda, only 14 but with a first-rate voice, is to make film debut in 'Fiesta de Primaviera' ('Spring Feast'), with music by Alvarez Garcia. Senorita Pelaz is looked upon as the Spanish Deanna Durbin. She made public debut in radio broadcast to United States over station EAQ on Jan. 13 and did repeat on 20th.

Australia

By Eric Gorrick

Some nabe exhibs may try singles this year.

Gladys Moncrieff will make loop runarounds for Hoyts.

Paramount building new offices in Sydney right next door to 20th-Fox.

Possibility of the government further increasing tax on raw film stock.

'Forty Thousand Horsemen' (U) copped $16,000 opening week in Sydney.

Rebla, British juggler, has been booked by Hoyts for a loop runaround.

Noel Coward made New Zealand tour last month prior to returning to the U. S.

Levante, magician, doing okay on two-a-day in Melbourne for Williamson-Tait.

Will Mahoney contemplating another solo tour in New Zealand late this month.

Harold Bowden, general manager of Williamson-Tait, has composed a patriotic song, 'We Shall Prevail.'

Pic bid by Sir Ben Fuller at St. James, Melbourne, is panning out okay with Metro and Par product.

Department of Information importing more British propaganda pix for free showings by local exhibs.

'Convoy' (ATP) continues to boom for Greater Union in Melbourne. It's the only war pic to take high b.o. honors.

Brightest legit hit here continues to be 'Design for Living,' still drawing extremely well for Dave Martin at Minerva, Sydney.

Bebe Daniels and Ben Lyon may be approached by local producer to make a pic here during Tivoli engagement next June.

U. S. distribs have decided to continue nix on pix previews to newspaper boys and gals. All product must be caught on regular theatre playings.

Exhibs are still pressuring U. S. distribs to keep the rentals down throughout '41. Situation is headache to distribs as exhibs threaten politico interference.

Hollywood

Luis Alberni filed suit for divorce.

Joan Perry out for a week with flu.

David O. Selznick to Palm Springs for a week.

Ray Bolger at home nursing abscessed tooth.

George Tobias limping after fall from his horse.

William Cagney under observation for appendicitis.

Ganna Walska, the opera singer, vacationing here.

Herbert J. Yates here from New York for a month.

Robert Stack to Mexico for a month's vacation.

Lewis Stone off for a long cruise in Mexican waters.

Jack Randall and Louise Stanley, both film players, divorced.

Dean Jagger ordered to lay off for six weeks because of sinus.

Philip Reed returned to Hollywood after three years in legit.

Lou Weber and Irwin Kaufman formed an agency partnership.

Darryl Zanuck won a silver trophy for ski running at Sun Valley.

George Smith appointed western divisional sales chief for Paramount.

Tim Holt fractured a bone in his left foot doing a riding stunt on location.

James R. Grainger arrived from New York for midwinter huddles at Republic.

Smiley Burnette on a stage tour covering New Maxico, Colorado and Wyoming.

Queenie Smith named dance director for Neil McGuire Productions, slottie outfit.

Errol Flynn couldn't get Clipper reservations and is returning from Honolulu by boat.

Abe Montague, general sales chief for Columbia, arrived for studio conferences with Jack Cohn.

Dan Ullman resigned from Terry DeLapp's publicity staff to join Paramount's production department.

Clark Blythe to San Francisco to take charge of Fox West Coast rentals in northern California.

Ann Pendleton, film actress injured on roller coaster, settled her $11,600 damage suit out of court.

Fay Helm, film actress, and Jack W. Hardy, lawyer, announced their intention to wed within two weeks.

Henry King flew in from New York in his own plane to direct a flying story, 'A Yank in the R. A. F.'

Elmore White, former partner of Bob Murphy in vaude, resumes the partnership, this time in a chop house.

Dean Jerome Olson, the governor's son and assistant director at 20th-Fox, ordered to report for military service.

Louis B. Mayer repeats as guest orator of the Shrine St. Patrick's Day civic luncheon in San Francisco, March 15.

Henry Herbel, western district sales chief for Warners, building a ranch house on 21-acre tract near Chatsworth.

Dale Armstrong, now assistant to Russell Birdwell, succeeding George Glass, named Coast publicist for United Artists.

Annual 'Gambol of Stars,' to be presented by Screen Actors Guild and American Federation of Radio Artists, is slated for March 17 in Cocoanut Grove.

Maria Jeritza was released from obligation to pay $1,600 in legal fees to Maximilian Friedman, refugee attorney from Vienna, who claimed payment for legal services in 1936.

Rio De Janeiro

By Timothy John Mahoney

Maddelena Sotto leaving Lisbon shortly to reside in Rio.

Cinemactor Antonio Villar sailing to Brazil from Lisbon to work in films here.

Metro cameraman Norman Alley now in Rio for the purpose of filming backgrounds.

Dave Lewis, Metro manager for Brazil, arrived back here from a trip to Sao Paulo and other cities.

Alan Noye has resigned as manager of Columbia Pictures for Brazil. He left Feb. 1 for the United States.

Grace and Urano, dancing team, en route to Argentina, but will stop in Rio on their way back to the States.

Only those over 21 will be permitted in casinos during carnival . . . at the same time alcoholic beverages will not be sold to persons under 18.

Mrs. Maria T. Vargas and two sons arrived in Rio recently. She is the wife of Pedro Vargas, Mexican tenor, now starred at the Urca Casino.

Pedro Germano and Samuel Pierpont, Sao Paulo and manager for Brazil, respectively, left last week for Panama, where they are attending the Paramount convention.

Sol Wurtzel, executive producer of 20th Century-Fox, arrived from Sao Paulo, accompanied by scenario writer Lester Ziffren. They are making a tour of Latin America.

Film producer Raul Roulien, who also played in American pictures, will refilm 'Azas Do Brasil' (Wings of Brazil'), the copies of which were completely destroyed a few months ago in a fire which gutted the Cine-dia studios. Minister of war Gaspar Dutra and Gen. Isauro Regueira, director of the Military Aeronautic department, are helping

THIS IS THE LAST PAGE IN THIS ISSUE OF *VARIETY* BUT THE FIRST PAGE IN IMPORTANCE IN HERALDING ONE OF THE GREAT PICTURES OF THE YEAR!

"Brilliant production of Remarque novel has beauty, pathos and comedy and should score heavily." —*Film Daily*

"A most auspicious beginning for the Loew-Lewin producing combination. A poignant and moving picture." —*Motion Picture Daily*

"A magnificent production . . . should win favor at the box-office. —*Hollywood Reporter*

"One of the best motion pictures I have ever seen!" —*Harry Crocker, Los Angeles Examiner*

"Deeply impressive, beautifully acted and excellently directed and produced." —*Dorothy Manners, International News Service*

"In the forefront of 1941's contenders for top motion picture honors. Audiences will thrill to the exciting story." —*Jay Emanuel Publications*

"Truly distinctive . . . a corking set of performances by an outstanding cast." —*National Box Office Digest*

"Excellent...you should see it."—*Liberty Magazine*

"'So Ends Our Night' made producers hold their breath with suspense. It has maturity, pace and variety." —*Time Magazine*

David L. Loew • Albert Lewin present

FREDRIC MARCH • MARGARET SULLAVAN • FRANCES DEE

in

"SO ENDS OUR NIGHT"

with Glenn Ford • Anna Sten and Erich von Stroheim

Directed by JOHN CROMWELL • Screen play by Talbot Jennings
From the novel, "Flotsam," by Erich Maria Remarque

Released thru UNITED ARTISTS

SCREEN RADIO MUSIC STAGE

VARIETY

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ASCAP YIELDS TO REFORMS

U.S. Film Stars the Best Good Will Ambassadors, Say Latin Americans

Hollywood, Feb. 18.

Film star shuttle service between Hollywood and South America, at least partially at the expense of the United States government, is in prospect starting this spring. It will be the result of a survey by the Nelson Rockefeller committee to cement goodwill between the continents.

Rockefeller group sent a questionnaire to Latin American editors and public relations experts recently. It asked: 'What's the best thing we can do to promote good will?' Replies came back almost unanimously: 'Send us U.S. film stars.' Players most in demand, the committee learned through further questioning, were men, not women.

Sub-body has accordingly been set up to work under main Rockefeller group in promoting tours of the stars south of the border. Labeled, The Committee on Visits to South America, it consists of Joseph M. Schenck, chairman; Edward Arnold, Kenneth Thomson and Benjamin Thau.

One tour has so far been definitely arranged, another is semi-certain and a flock of others are being talked. In the sure class, according

(Continued on page 21)

U. S. Strippers Gotta Lam When Latin Fervor Gets Too Hot in Mexico City

Mexico City, Feb. 18.

Latin temperament, known for its fervor, asserted itself at an American burlesque show in the Mexican hinterland a few days ago when the strippers were forced by overenthusiastic patrons to flee to their dressing rooms and barricade themselves until the cops arrived. Excitement occurred at a midnight show of Barger's Chicago Burlesque Co. at the Teatro Obrero (Workers' theatre) in Saltillo, capital of the thriving central state of Coahuila, where the American troupe had been booked after a long engagement in Mexico City.

A stripping act, at around 2 a.m., set off the heat, with most of the men in the audience swarming onto the stage. Theatre attaches and male members of the troupe tried to fight

(Continued on page 54)

Jimmy Roosevelt Billed Over Jukebox Films

Milwaukee, Feb. 18.

'Inside! See Hear! Jimmy Roosevelt's new movie machine!'

That's the gist of the exploitation given the jukebox films being turned out by Globe Productions, headed by the President's son, with the billing stating nothing about the shows, change days or prices. It's all Jimmy Roosevelt.

Singing Doctor

Mexico City, Feb. 18.

Dr. Alfonso Ortiz Tirado, local surgeon and radio tenor, used show business methods recently to perform a delicate leg operation. Singer-surgeon kept his patient distracted while he operated, with phonograph records of the doc's songs.

Patient was Margaret Doormann, a U. S. citizen.

MATINEE LEGIT RESUMES IN LONDON

London, Jan. 24.

London's contempt for the Nazi blitzkrieg has received its show business emphasis of late in the legitimate theatre's return, for matinees only, to the West End after its darkened footlights these many months. It's an indication of the entire spirit as manifested by the English people.

Heretofore, ever since the Nazis unleashed their smashing attack last spring, the West End has had little legit, and what little it has had was short-lived or curfewed due to the defense precautions against bombings. As a result, the provincial theatres, with the London stars

(Continued on page 41)

CLARE BOOTHE MAY DEBUT AS ACTRESS

Clare Boothe may play the lead in 'The Yohimbe Tree,' which she authored in collaboration with Alexander King, editor of Stage mag (just folding). It would be her professional acting debut, although as a girl she appeared in minor roles in plays at Clare Tree Major's dramatic school while she was a student there. Femme lead in 'Yohimbe' is long and difficult, but she is said to be anxious to play it.

'Yohimbe' is slated to be put into rehearsal soon by Carly Wharton and Martin Gabel. Direction isn't set, but Robert Sinclair and Gabel are possibilities. Play is a drama, and deals with the complications that result from the rediscovery of a drug derived from the Yohimbe tree. Raymond Massey and George Coulouris are mentioned for the cast.

Miss Boothe, who authored 'The Women,' 'Kiss the Boys Goodbye' and 'Margin for Error,' is the wife of Henry R. Luce, publisher of Time, Life and Fortune.

LIVABLE CONSENT OKAYED BY GOVT.

ASCAP Retains Control Over Collection and Disbursement — Clause One Modified — Non-Exclusive Performance Rights Called Similar to 1914-1921 Arrangement

BMI CAN'T RAID

The American Society of Composers, Authors and Publishers has made its peace with the U. S. Department of Justice. The next move toward peace in the radio-music war must come from the broadcasters themselves. The ASCAP board met all day yesterday (Tuesday) to act on the amended consent decree which Charles Poletti, special ASCAP counsel and N. Y.'s lieut. governor, brought back with him from Washington over the weekend. Final approval by the board is expected today (Wed.).

It will take from a week to 10 days for the decree to become an official document. The Government must first go through with the business of filing an actual suit against ASCAP and then obtaining a court order approving the decree. This

(Continued on page 37)

EARL CARROLL THROUGH WITH B'WAY 'FOREVER'

Minneapolis, Feb. 18.

Here with his 'Vanities,' which jumped directly from Los Angeles to Minneapolis on a special train, Earl Carroll declared he's through with Broadway 'forever' and will devote himself henceforth exclusively to his theatre club in Hollywood, except for sending two units a year on tour to play the vaudfilm houses. And there'll be no 'expansion'—the thing that has ruined more producers than anything else, he asserts.

The old white stem isn't what it used to be and, besides, living in California is so much more pleasant than in New York, Carroll points out. He didn't really enjoy life or know what real living is until he established his permanent home on the west coast, says the producer, now as much of a booster for California as any of the most enthusiastic native sons.

ORE AT THE B.O.

Oklahoma City, Feb. 18.

Four Oklahoma City theatres, the Plaza, Ritz, Warner and Circle accepted iron and steel in five or more pound lots admission Saturday (15).

Trucks were stationed at the show houses to take the iron for shipment to Great Britain.

Katharine Hepburn's Tearful Adieu To 'Philadelphia Story' in Philly

Philadelphia, Feb. 18.

Katharine Hepburn, winding up her coast-to-coast tour in 'The Philadelphia Story' at the Forrest theatre here Saturday (15) night, gave the audience at the final performance an unexpected extra show. In a tearful curtain speech, she told how the Philip Barry play had provided her a comeback, when 'most people considered me a has-been,' and said the long run in the comedy had been the happiest time of her life.

Concluding her remarks, the actress said she never wanted the curtain to be lowered on the comedy, so she turned toward the wings and instructed the stage manager and stagehands to leave the curtain up. Then, facing the audience again, she added, 'I just don't want to think that the curtain ever fell on our play, and I know you won't mind if we just leave it this way.'

As the spectators applauded, she continued, 'Ever since we opened I've had my eye on some of the things in this show. I hope the Theatre Guild won't object if I take them now.' She then walked across the stage, picked up a large blue vase and a pair of andirons and, still crying slightly, walked offstage. As many in the audience remained to watch the stagehands begin carrying out the furniture and taking down the sets, several hundred Penn students, present in a body, sang 'Auld Lang Syne.'

It had been evident even before the curtain rose on the first act that the final performance would be a memorable one. Saturday marked the end of the fraternity rushing season at U. of Pennsylvania and, true to tradition, many old and

(Continued on page 55)

ASCAP Fined $24,000

Washington, Feb. 18.

As part of the ASCAP settlement with the Government, the Society was fined $5,000, and each director-member representing a music firm another $1,000 each. There are 19 such firms thus represented by board reps, bringing the fine to another $19,000, or $24,000 in all. This is separate and apart from the consent-decree terms worked out by Lieut. Gov. Charles Poletti, special counsel for ASCAP.

Fines are under a ruling which states that ASCAP 'concedes nothing or denies nothing' as to the Government charges. It's an established legal form of pleading. [BMI wasn't fined on its own consent decree.]

CHARGE REMOS' MIDGETS CHIZ R.R. FARES

Passenger representatives and ticket agents of the Alton R. R. of the Baltimore & Ohio railroad have in the past week received a warning from W. G. Brown, head of the passenger traffic department, regarding an attempt by a vaudeville act to defraud, allegedly, the r.r. of its rightful fares. The report from Brown follows:

'For your information we are quoting below information received regarding transportation being obtained under false pretenses:

'There is a theatrical vaudeville act that has been in the habit of obtaining railroad transportation with

(Continued on page 51)

SONG FOR SHORT GUYS WITH TALL SWEETIES

Frankest commercial song tieup is Jack Mills' publication of 'Now You Can Be Taller Than Her,' from the slogan of Adler Shoes' 'height-lifting' products.

The Adler chain paid nothing for the song hookup but ordered 1,000 copies of the tune from Mills.

Maurice Costello's 50 Years

Hollywood, Feb. 18.

Half a century of show business was rewarded by a silver loving cup bestowed on Maurice Costello by 100 extras on the 'Model Wife' set at Universal.

Costello, once a star, is now an extra.

Foresee Future ASCAP Directors Men of Zukor, Schenck, Warner Type

In line with the Department of Justice's consent decree's taboo on the self-perpetuating board, with which proviso, incidentally, most members are now in accord, there is a movement afoot to see to it that ASCAP board members henceforth be men of stature. In view of the film interests, for example, represented in ASCAP, there's no reason why a Nick Schenck, a Harry Warner or ar. Adolph Zukor isn't on the board.

The Society's 1940 takings of $7,300,000 is certainly big business, important enough to warrant their attention. Metro, Warners and Paramount important components through their music publishing subsidiaries.

Among the songwriters, the Society has made frequent use of the prestige presence of songsmiths such as Irving Berlin, Jerome Kern, Cole

(Continued on page 55)

15 Best Sheet Music Sellers

(Week ending Feb. 15, 1941)

I Hear a Rhapsody	BMI
There'll Be Some Changes Made	Marks
High on a Windy Hill	BMI
Frenesi	Southern
It All Comes Back to Me Now	BMI
You Walked By	BMI
Tonight (Perfidia)	Southern
I Give You My Word	BMI
Let's Dream This One Out	BMI
May I Never Love Again	BMI
America I Love You	Mills
Number 10 Lullabye Lane	BMI
God Bless America	Berlin
Yes, My Darling Daughter	Feist
*Down Argentina Way ('Down Argentine Way')	Miller

*Filmusical.

Hearst Opens Blast on RKO-Schaefer; 'Citizen Kane' Release Still Indef

William Randolph Hearst got his first real opportunity last week since his burn at RKO to show how he feels about the company—and stuck the knife in deep. Both the studio and George J. Schaefer, its president, were lambasted mercilessly on front pages of Hearst papers from coast to coast. The news peg was a remote suit against Schaefer and RKO that even the trade papers relegated to inside pages.

Meantime, Orson Welles' 'Citizen Kane,' which it is said Hearst alleges too closely resembles his own life and is the cause of the publisher's ire at RKO, is getting close to its release date and still no engagements have been set for it. RKO maintains that the possibility the film will be roadshown is delaying the opening, but it is known that lawyers have been busy and there's dissension within the company on the course to be taken. Hearst has allegedly demanded that the film be shelved.

Suit that caused the fireworks in the Heart dailies ended with a $7,000 decision against RKO, won by Joseph N. Ermolieff in Los Angeles court. Ermolieff is a Europen producer who

(Continued on page 18)

MRS. EMLYN WILLIAMS REMAINING IN U. S.

Mrs. Mollie Williams, wife of playwright-actor Emlyn Williams, is remaining in the U. S. indefinitely with their two children. She had planned to return to England after arranging with Herman Shumlin for the production of her husband's 'The Corn Is Green,' at the National, N. Y. But Williams, currently touring the English provinces in his new play, 'He Was Born Gay,' persuaded her to stay in the U. S., at least until after the expected Nazi invasion attempt this spring.

She and the children are making their home at Robert Montgomery's estate at Brewster, N. Y.

New Orleans All Set For Record Mardi Gras

New Orleans, Feb. 18.

Hotel reservations are at a premium as thousands of visitors from all over America have started converging on this historic city to take part in what shapes up as being the biggest and best Mardi Gras ever held here. The city has already primped up for the big day, next Tuesday (25), and is now making her annual salaam to Jupiter Pluvius, asking him to lay off.

Transportation officials here say the present season—despite the draft jitters—will set a record. Many special trains, chartered buses and planes will bring thousands to sample New Orleans' recipe for forgetting care.

The city's season of seasons, that makes it a place apart from other American cities, has of course been in progress since early January, but the main dish is still to be served.

A new street pageant will make its bow this year, the Krewe of Venus, a woman's organization, marking the first time in Mardi Gras history of 114 years that a women's group has turned out with a street parade. Group will parade Sunday afternoon, Feb. 23.

Sam Scribner Ill

Sam Scribner, former showman, has been in the Lawrence hospital, Bronxville, N. Y., for the past week. Veteran, who is 83, was reported ill with grippe, but the hospital declined to verify the ailment.

He is treasurer of the Actors Fund, where it was stated his condition is favorable, and chairman of Theatre Authority.

FDR Birthday Ball Spokesman Denies Actors 'Pushed Around'

Washington, Feb. 13.

Editor VARIETY:

Because Hollywood stars have contributed so generously to the success of the Washington Birthday Ball Celebrations, and because others who are eager to come in the future may get the wrong impression, may I challenge VARIETY's page one story of Feb. 12, to the effect that the guests contributed by the motion picture industry were 'pushed around,' or given unhospitable treatment.

Contrary to the vague charge of Mr. Alan Corelli, that those who made many personnal appearances were denied White House luncheon invitations, and the opportunity to participate in other activities, the facts are that all stars were included in every official event on the program, and this included, of course, presence at Mrs. Roosevelt's luncheon in the afternoon, and at the

(Continued on page 55)

Jackie Gleason, M.C., To Make Film for WB

Jackie Gleason, via agent Harry Bestry, and Jack Warner finally came to terms on money, etc., and the nitery m.c., who closed last week at Leon & Eddie's, N. Y., reports for a WB picture in May. He's first stopping off at the Royal, Detroit club, breaking the jump west that way.

Warner saw Gleason some months ago when he was at Jack White's Club 18, before the L&E engagement, and wanted him for a filmusical, but the money question was the major hurdle.

FUSSY WOOLLCOTT

Advertises for Philly Apt., but Owners Must Scram Town

Philadelphia, Feb. 18.

Alexander Woollcott, who opens here in the lead of 'Man Who Came to Dinner' on March 10, last week advertised in the Evening Bulletin for an apartment for the three weeks the show plays here. The ad read:

'Wanted—A Philadelphia family living in an apartment or house with at least four bedrooms, who, for a reasonable financial consideration, will be willing to depart for Bermuda or somewhere on March 9th and stay away for three weeks, subletting their quarters, staff and all. The prospective tenant guarantees to be house broken. All answers should be addressed to A. Woollcott, Bulletin J-334.'

Woollcott is a native of Philadelphia. His niece, Joan Woollcott, is a reporter on the Bulletin.

RUBINOFF
AND HIS VIOLIN
on Personal Appearance Tour
until May 15th. Dates in 125 cities.
Management
PHIL RUBINOFF
Paramount Bldg. New York City

Music to Suit Audience Mood For 'Fantasia'

Hollywood, Feb. 18.

Recording of three musical numbers to be incorporated in Walt Disney's 'Fantasia' after the initial roadshowings of the cartoon opus are well under way, has been started here by Leopold Stokowski. Numbers will be switched and varied, under present plan, to provide evenings of light concerts or more dramatic compositions to suit all types of music lovers, and incidentally to bring repeat customers to the boxoffice.

Selections to hit the sound tracks under the Stokowski baton are 'Peter and the Wolf,' by Prokofiev; 'Flight of the Bumble Bee,' by Rimsky-Korsakov, and 'Swan of Tuonela,' by Sibelius.

Stokowski has completed music and animation is about two-thirds through on 'Clair de Lune,' by Debussy, which is also planned for insertion in the original picture.

BRITISH WAR RELIEF BENEFIT IN N. Y. SRO

Indicated that the 'Carnival for Britain,' benefit show at the Music Hall, Radio City, Friday (21) at midnight, will be over capacity. Over the weekend the theatre advised the American Theatre Wing of the British War Relief that no more tickets were on hand except front locations, priced at $10.

Later it was stated that no tickets at any price were available and the committee was in a quandary about accommodating well-knowns who wished to attend the name bill, which will include a London, New York and Hollywood broadcast. Trailers at the 5,960-seat Music Hall and other theatres were eliminated.

BIBERMAN'S ADOPTION

Madison, Wis., Feb. 18.

Prof. Hans T. Sondergaard of this city has announced the adoption of a six-week old daughter by his actress-daughter, Gale Sondergaard, and her playwright-director-husband, Herbert Biberman, of Hollywood.

Miss Sondergaard and her husband visited Madison during January and selected the child from a midwest foundling home.

L. A. to N. Y.

Wendy Barrie
Jack Cohn
Peter Cushing
Lynn Farnol
Gene Fowler.
Will Fowler.
Miriam Hopkins
Walter Huston.
Oscar Levant.
Vincente Minelli.
Jack Moss.
Abe Schneider
Nicholas M. Schenck.
Robert C. Sherwood
Herbert Stothart
Rocco Vocco

THE BERLE-ING POINT

By Milton Berle

Miami Beach, Feb. 18.

I wouldn't say it's been cold here BUT—when I had breakfast by the Roney pool the other afternoon they placed a smudge-pot on the table to keep the orange juice from freezing.

The weather hasn't affected swimming, however. All you do is wear a ski outfit under your bathing suit and you're perfectly comfortable.

Business has been so good at the Royal Palm that Art Childers is sidering the installation of oil heaters at each table.

At Hialeah the other day I was mixed up in a very affectionate race. The horse hugged the rail, the jockey had his hands around the horse's neck and I kissed my money goodbye.

Met a girl at the Beachcomber who makes her living as a professional busy-body. She's a rhumba dancer.

Bought a new suit but had to stop wearing it. Too many people came up to me to place bets.

Broadway Dept.

'Boudoir' was proclaimed by the critics as 'the worst play of the season,' and then lost the title when 'Popsy' opened two nights later.

John Garfield and Paul Muni are both slated to do Broadway plays again, and with Boris Karloff in 'Arsenic and Old Lace,' who's left to do the killings in Warner Bros. pictures.

Miami Flash: Romo Vincent has been booked into a local cafe. Authorities are praying for low tide.

The appointment of Buddy DeSylva to the executive producer's post at Paramount is probably a plot on the part of Broadway producers. They had to get him out of town so somebody else could produce a successful musical.

Vinton Freedley's secretary has an adding machine tattooed on his chest. All day long he keeps saying, 'Brother, you can count on me.'

Hollywoodiana

One of Crosby's horses finished in the money the other day and the first thing Bing did was to wire Ripley.

Got a name for those cowboy pictures the quickie studios turn out in a week. Oughta call them 'thud and blunder' films.

Can't seem to get out of my 'Tall, Dark and Handsome' gangster characterization. Every time I go into a post office, I look to see if there's a poster with a reward offered for me.

The $285,000 paid for the screen rights to 'Lady in the Dark' is a new high. If it keeps up, the producer of a successful Broadway play in the future will just buy a film studio to match.

One Hollywood studio decided to make no more anti-Nazi pictures. Probably couldn't get a Berlin theatre for the premiere.

Olsen and Johnson will make 'Hellzapoppin' for Universal. When the picture is released, theatres will need screens all over the house—else how will they show people running up and down the aisles?

Music Dept.

Do you think BMI songs will bring back Bicycle Cops?

Abe Lyman threatened to fire one of his musicians the other day. The musiker kept biting the hand that leads him.

'Jeanie with the Light Brown Hair' accomplished something that other song did. 'Jeanie' is in the joke files of every comedian in the country.

Radio Dept.

Burns and Allen are now in New York where they are visiting their parents, Block and Sully.

John Barrymore always sounds as if he has an awful don't-give-a-hangover for his Thursday night radio bouts with Rudy Vallee.

Some day I'm going to buy radio time to ask Professor Quiz, Dr. I. Q. and Bob Hawk a few questions.

Hangnail Descriptions

Greta Garbo: The lady who lived in a shoe. *F. D. Roosevelt:* Only forever. *Lucille Ball:* A Desi dame. *Bette Davis:* Cry Baby Cry. *Bob Hope:* Odds-on favorite. *Katherine Hepburn:* Revenge with talent.

Observation Dept.

Chorus girls at a Miami night spot do a strip dance with tiny airplanes. The customers are there to see them take off nightly.

Since Hitler, France has stopped the export of all raw materials—except postcards, of course.

A fellow here considers himself successful because he borrows more money in a week than most people make in a year.

Had to buy a dozen new shirts. Judging by my old ones, I'd say that the Japanese have been bombing my Chinese laundryman.

Eavesdropped at The Paddock, 'He repeats everything he says—and eats.'

Eavesdropped at The Carrousel, 'Next time you have your suit cleaned and pressed, send your mind with it.'

Eavesdropped at Club Ha! Ha!, 'Are you in love with me or my purchasing power?'

It's not true that Mrs. Bing Crosby sent a wire to the stork saying: 'Why don't you come down and she me sometime?'

Whatever Became of—? ? ? ?

Burns & Jose	William Seabury & Co.
Bill & Betty Brandell	J. Rosamond Johnson
Snow, Black & Cole	Frohman & Garry

Afterpiece

Famous Hollywood last lines: 'Who wants to make money like that? Look at the income tax you have to pay.'

N. Y. to L. A.

Howard Benedict
Gene Buck
R. H. Burnside
George M. Cohan
Jack Donahue.
Milton Feld.
John Fearnley.
Ed Fishman
Matty Fox
Billy Grady.
Felix Jackson.
John Joseph.
Dan Kelley.
Al Lewin.
David Loew.
Bruce Manning.
George Marshall.
Joan Merrill.
Cole Porter.
Robert Riskin.
Jane Seymour.
Frank Shaw.
Arthur Ungar

SAILINGS

Feb. 20 (Los Angeles to New York), Bill Boyd, Grace Bradley (America).

Feb. 13 (Los Angeles to Honolulu), Mickey Rooney, Les Paterson (Matsonia).

Rise Stevens Conspicuous At Carnegie Hall Event Emceed by Jimmy Walker

The three-ply benefit concert at Carnegie Hall, N. Y., last week, emceed by Jimmy Walker and patroned by Viennese composers-conductors Robert Stolz ('Two Hearts in Three-Quarter Time'), Oscar Straus ('Chocolate Soldier') and Emmerich Kalman ('Sari,' 'Maritza'), was also in the nature of a film preview for Rise Stevens. She's slated to sing opposite Nelson Eddy

(Continued on page 51)

Henie to Coast After Ice Show's $76,000 in Omaha

Omaha, Feb. 18.

Sonja Henie closed a seven-night showing of her ice frolic Thursday night (13) at the Coliseum to a grand total of $76,000 or approximately what she did a year ago.

Following the date here, Miss Henie left for the Coast to do 'Sun Valley,' 20th-Fox film, and the rest of the ice show cast scattered.

NEW FACES CLICK ON B'WAY

Grace Moore's 'Louise' a Sellout, 15G In One Night; Bruno Walter's Met Debut

The Metropolitan Opera Co. closed the 11th week of its season Monday (17) with a take of $104,500 for nine operas including the company's first jaunt to Hartford, and had a net loss of $3,500 for its pains. Feature of the week was the revival of Beethoven's 'Fidelio,' Bruno Walter making his debut as Met conductor and Kirsten Flagstad as the spearhead of the performance, with a packed house of $15,500 paving the way.

The Wagnerian soprano was not at her best in the opera, being unable to cope completely with the cadenzas in her music. Walter stole the show with his conducting, receiving greatest ovation. The Met orchestra was not quite up to par, but this was probably due to the strain of trying to make the evening a complete gala occasion.

Grosses were as follows:

Monday (10), 'Alceste' was repeated with a gross of $3,500 and a loss of $4,000.

Tuesday (11), 'Louise' in Hartford sold out at $15,000 with Grace Moore the draw.

Wednesday (12), 'Boheme' dropped $4,000 on an $8,000 gross.

Thursday (13), 'Manon' also

(Continued on page 55)

Balto Woman Who Went To 'Dinner' Would Rather Be Legit-Starved 15 More Yrs.

Appearance of Alexander Woollcott in 'The Man Who Came to Dinner' in Baltimore recently attracted a woman to the theatre who had not attended a show for 15 years. According to a letter she wrote to the editor of a local paper, she may not see a show for another 15 years, having been shocked at the performance which drew clean-up attendance.

The complaining customer reached away back in mentioning plays of other generations.

'What has happened to the theatrical taste of this nation? I remember in my younger days such inspiring plays as 'Uncle Tom's Cabin,' 'Little Nell,' 'The Villain Still Pursued Her,' 'The Fallen Saved' and other equally high-grade shows,' she stated. 'Why can't we have the finer things of the mid-Victorian period returned to us?' she added.

The plays mentioned were all melodramas of the ten, twent' and thirt' era.

SET DESIGNER DROWNS IN FLOODED GUTTER

Hollywood, Feb. 18.

John Gilbert, 40, studio set designer, drowned Sunday in a Hollywood street gutter. Some streets have been considerably flooded due to heavy rains and lack of drainage.

Police believe Gilbert struck head on curb as he stumbled and died from drowning while unconscious.

Triple-Threat Welcome For George Marshall

Director George Marshall, who was in New York last week for a short business visit, got a three-ply greeting in the east. Universal, Columbia and United Artists each had a glad hand and its publicity men out to meet him.

He had just wound up work on James Roosevelt's (U.A.) 'Pot O' Gold,' is set to do 'Texas' for Columbia next and later in the year will meg 'Hellzapoppin' for Universal. Confabs while east were mostly on 'Hellz.'

Marshall left New York Friday (14).

Quite Doggie

Hollywood, Feb. 18.

Dogs are actors, too, and therefore entitled to the equivalent of Academy Oscars. So ruled the Tailwaggers, who will make their own awards night of Feb. 23 at Charlie Foy's supper club in the Valley.

'Boscars' will go to pooches in three divisions: best acting job of the year for male and female, and to hound showing the most promise.

Award will be a bronze fire hydrant.

Geo. Hale Argues Jolson Is Hale, Hearty and Not Too Ill to Play in Show

Application will be made in N. Y. Supreme Court within 10 days to examine Al Jolson before trial in connection with a $100,000 suit by George Hale, co-producer of 'Hold On to Your Hats.' Plaintiff claims Jolson walked out on the show claiming illness, but films taken of the actor in Florida at the race tracks and night clubs show him to be OK, plaintiff claims.

Hale has a 20% interest in the show, which was earning $4,000 to $6,000 weekly when Jolson closed it on Jan. 31. According to the contract, Jolson was to be available for the entire 1941 season, including a road tour. Fitelson & Mayers are handling the action for Hale.

Pact Break by Rosalind Russell to Arbitration

Hollywood, Feb. 18.

Move by Rosalind Russell to cancel her contract with Myron Selznick & Co., Inc., has been submitted to an arbitration board for decision. The actress is asking to be relieved of her contractual obligations with the agency on the ground that she has not been properly represented.

The board has held one hearing, at which time each side was given an opportunity to outline its position. Taking of testimony will be started this week.

Snake in Nitery

Hollywood, Feb. 18.

Emma, the only king snake ever to get screen credit, is being packed off for an air trip to New York, where a party will be tossed for it Thursday (20) at Monte Proser's Copacabana nitery.

Gag is a promotion for Preston Sturges' 'Lady Eve,' being released by Paramount.

YOUNG LEGITERS GETTING BREAKS

'Out of the Frying Pan' Has Six Newcomers — Dorothy McGuire, Nancy Coleman, Danny Kaye Score

MORE ON WAY

Upsurge of young talent on Broadway is an interesting development this season, especially in the mid-winter arrivals in which a number of players in their teens have attracted attention. They are for the most part identified as among those kid aspirants who gather at Times Square drugstore counters in between making the rounds of producers' offices.

Among the recent arrivals, cast of 'Out of the Frying Pan,' which opened at the Windsor last week, has more of the embryos than any of the others, there being no less than six virtual newcomers to Broadway legit. The 'Pan' kids are Florence McMichael, Barbara Bel Geddes (daughter of the designer), Nancy Douglas, Alfred Drake, Louise Sny-

Continued on page 18)

JACK BENNY AIR RENEWAL COMING UP

Negotiations for a new contract between Jack Benny and General Foods through the Young & Rubicam agency are due to come up within the next few weeks. The comic's present contract, which calls for $17,500 a week, is for 35 weeks and expires June 1.

Benny has been talking about retiring from radio for a year and devoting himself exclusively to pictures, but he hasn't said anything to his agents, A. & S. Lyons, about not taking up the matter of renewal with his client.

Dull an M-G Producer

Hollywood, Feb. 18.

Metro upped Orville Dull to a producer berth after 10 years of association with John W. Considine, Jr.

First assignment is as co-producer with Robert Z. Leonard in 'Two Women.'

'Arsenic-Old Lace' Paying Off In Velvet—And the Laughs Still Pile Up

The producers of 'Arsenic and Old Lace' which is packing 'em in at the Fulton, New York, not only aren't wondering why they allowed 21 individuals to buy pieces of the show, but are patently glad about the whole arrangement. They are paying off cheerfully and at the same time giving their 'backers' chuckles. When they remitted checks for approximately half the coin each invested, the following note was enclosed:

Angel, Dear:

Surprise! Surprise!

We will all be up to our Ar-.. senic in money.

Sincerely,

Howard Lindsay & Russel Crouse.

It is not unusual on Broadway for backers to wait for long periods to get their money back even for flourishing attractions. There is the matter of sinking funds and other angles to hold back repayment. Seems, therefore, that the 'Arsenic' deal is somewhat unique and extraordinary. Show is only in its sixth week with indications of running upward of a year. From the very start the backers were informed of the financial strength of the show as shown by the following note sent to them.

Dear Angel:

Enclosed you will find our first statement.

We think it is a charming document and we hope that others more charming will follow.

If there is anything in this about which you wish to complain we shall be glad to hear from you. Just address us in care of the Dead Letter Office, Washington, D. C

'Communists' Fail to Grab Control Of AGVA Membership Meet in N.Y.; Haddock's Modified Report Heard

By JOE SCHOENFELD

An attempt by reputed Communists to grab control of an American Guild of Variety Artists membership meeting Monday (17) at the Hotel Abbey, New York, failed when Professor Maji, president of the Detroit local, swung the tide the other way with a plea for unity. However, before the long session was over, and after more than half of the original attendance of 125 had left, Hoyt S. Haddock, who was dismissed last week as national secretary, was given the opportunity to read the report he made last Thursday (13) before the Associated Actors and Artistes of America.

Earlier in the day, Haddock had approached Gerald Griffin, now administrative head pro tem of AGVA, and asked permission to deliver his report at the meeting. Griffin stated that the meeting's agenda had been set, but if Haddock would submit the report and, if it was found to be the same delivered before the Four A's, permission would be granted. This Haddock refused, but stated that the report would be read at that afternoon's meeting, regard-

(Continued on page 43)

The Perfect Alibi?

Detroit, Feb. 18.

As long as automobile horns play patriotic tunes, motorists evidently won't get into trouble these days for excessive tooting. Ernest J. Gedeon, 23, landed in front of Traffic Judge George T. Murphy on a charge of being a nuisance because of blasting away on his car horn.

He not only got off, but the traffic cop drew criticism for his lack of patriotism after Gedeon explained that his horn plays 'Yankee Doodle.'

Mickey Rooney Symph Not Heard on Ford; CBS Release Too Sweeping

Detroit, Feb. 18.

Widely ballyhooed, Mickey Rooney's three-movement symphony suite, 'Melodante,' failed to hit the airways as scheduled over the Ford Evening Hour when the Columbia Broadcasting Co. officials and the young composer failed to jell on terms for the release. Detroit Symphony was set to let go with two of the three movements Sunday (9), but, after two weeks of wrangling between Rooney's attorneys and the network officials, the music finally was ruled out. On the program, Announcer Ronald Gamble only explained that the final arrangements could not be made for its production, leaving the public bewildered.

Here it was denied that either the ASCAP-BMI row or possible plagiarism suits had anything to do with the cancellation. Ben Potts, assistant producer of the show, said that it was just that an agreement couldn't be reached by which Rooney would sign the long, complicated releases which all composers of unpublished works must sign with radio chains.

From Hollywood the word came that the attorneys didn't like the looks of the long document submitted. 'Why should Rooney obligate himself by any kind of contract when he was giving them his symphony free?' was their question.

NO CHEESE DUCATS FOR STARS FROM WIS.

Milwaukee, Feb. 18.

It's O.K. with the Wisconsin board of agriculture if Gov. Julius (the Just) Heil wants to plug the state's dairy industry by sending a sample of different kinds of cheese each month to the governors of the other 47 states, but when it comes to adding stars of stage, screen and radio to the free list—that's out!

Policy of nixing the edible gifts to artists was announced by Ralph E. Ammon, director of the Dept. of Agriculture, after a huddle that followed the governor's declaration he would send a nice Swiss, Longhorn, Limburger or other brand of Wisconsin cheese to Nelson Eddy monthly.

Heil met Eddy recently on a train returning from Washington, D. C., and appointed the singer a colonel on his personal staff, a group that also includes Spencer Tracy.

Par's Foreign Find

Hollywood, Feb. 18.

Eva Gabor, Hungarian actress, makes her screen debut at Paramount as the femme lead opposite Richard Arlen in 'Forced Landing,' an aviation story.

William H. Pine and William Thomas are producing the picture independently for release by Par.

OLIVER MOROSCO SAID TO BE IN NEED IN L. A.

Oliver Morosco, 65, onetime Broadway producer, is reported destitute in Los Angeles and suffering from stomach ulcers. He is given regular allowances by the Motion Picture Relief Fund and the Actors Fund.

Showman had offices in the Morosco, N. Y., for years. He produced a number of high grossing attractions. 'The Bird of Paradise' among them. 'Abie's Irish Rose' was originally presented by him on the Coast, but the hit reverted to Anne Nichols, its author, and he was not interested in the New York or road showings of 'Abie.'

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U.S. Census on Amusements (1939) Shows Public Annual Expenditures Of $1,000,000,000, or $30 Per Family

Washington, Feb. 18.

Places of amusement in the United States, operated commercially for profit, have increased substantially in number and diversity within the past five years, and the report of 1939, issued today by the Bureau of the Census, estimates public annual expenditures of nearly $1,000,000,000. This amounts approximately to $30 per family.

According to the Census survey covering 1939, there were 44,917 such places of amusement, which was an increase of 22.2% over the 36,745 establishments operated in 1935. The increase in receipts was 43.4%—$998,079,000 compared with $696,012,000 five years earlier.

Motion picture theatres, including those with shows and vaudeville, get more than two-thirds of the dollar spent by the public for commercialized amusement. During the five-year period, motion-picture theatres increased in number from 12,024 to 15,115 and increased their boxoffice collections from $508,196,000 to $673,045,000.

Pix receipts amounted to approximately $20 per family, or a little more than $5 per person including infants and aged. At an average admission of 25c, it would permit every person of theatre-going age to visit a cinema every other week. The average intake of each of the 15,115 theatres per year was $44,528. The survey showed one picture theatre for each 2,306 families, or approximately one for each 8,700 population.

Bowling's Big Increase

Bowling alleys and billiards and pool halls showed a still greater increase both in number and volume of business. These establishments increased in five years from 12,412 to 17,644, and increased their revenue from $43,271,000 to $87,450,000.

Baseball showed 276 establishments and receipts of $24,940,000.

Horse and dog race tracks decreased in number from 64 to 56, but increased their revenue from $32,466,000 to $43,507,000.

Legitimate theatres and opera and theatrical productions increased in number from 158 to 231, and increased their revenue from $19,630,000 to $32,461,000.

Amusement parks and amusement devices decreased in number from 303 to 245, but increased their revenue from $8,882,000 to $10,123,000. Riding academies increased from 645 to 840 and increased their revenue from $2,448,000 to $2,875,000. Swimming pools decreased in number—698 to 668—but increased their revenue from $1,938,000 to $2,815,000.

College Sports Excluded

The Census Bureau emphasized that its survey included only commercial enterprises operated for profit and excluded enterprises conducted by educational institutions; religious, charitable, or fraternal agencies; governmental or civic bodies, and non-profit organizations. Thus all college sports were excluded. Gambling places, golf and other private clubs, charter-boat fishing, and pleasure resorts engaged in providing food and lodging were not included. Legitimate theatres, athletic fields, and arenas were included only if engaged in the promotion of amusement enterprises. Night clubs were not included in the amusement survey, but were included in the Census of Retail Trade and classified as eating places.

Professional football receipts are not shown separately, but are included in 'other amusements.' Theatres, fields, and arenas which are customarily rented to stock companies, or promoters of theatrical productions or athletic events are not included; however, such stock companies, theatrical productions, and athletic events are classified as amusement enterprises and are covered by the Census.

The 44,917 commercial amusement establishments employed an average of 223,729 persons throughout the year, of which 169,268 were full-time and 54,461 part-time employees. The survey showed 33,971 proprietors devoting the major portion of their time to the business. The total pay roll, exclusive of proprietors' compensation, was $225,461,000, of which $205,211,000 went to full-time employees and $20,270,000 to part-time employees.

THE 'ICE-BOX' GAME

Synthetic Blizzard for Army-Navy Grid Tussle at Par

Hollywood, Feb. 18.

Frozen football goes into action in Paramount's 'Little Miss Muffett,' in the form of an Army-Navy grid contest, played in a synthetic blizzard. Granulated ice, sprayed through a blower, gets screen credit as snow.

Gridiron scenes will be played in a gigantic icebox owned by the Consumers Ice Co., the coldest place in Southern California. Players leaving the game will be thawed out in an intermediate chamber to prevent pneumonia.

Two other features left at the post at Par yesterday (Mon.) at the same time as 'Miss Muffett.' Starters are 'Pioneer Women' and 'Hold Back the Dawn.'

Former directed by William A. Wellman and 'Dawn' by Mitchell Leisen. 'Muffett' is megged by Robert Siodmak.

After 23 Years at Par, A. M. Botsford Leaves Co. as LeBaron Quits

Hollywood, Feb. 18.

A. M. Botsford severed a 23-year connection with Paramount by resigning his post as executive assistant to William LeBaron. He joined Famous Players-Lasky in 1917 as publicity writer, later becoming advertising manager. Transferring to the studio from the home office, he was successively aide to Emanuel Cohen and Henry Bergerun, lot heads, and an associate producer at the studio before taking the LeBaron post. LeBaron moved out of Paramount last week, vacating his berth of executive producer in favor of B. G. DeSylva.

Also departing Paramount is Jack Moss, associate producer, who joins Walter Wanger as production executive. Sam Frey, assistant to Botsford, moves over to the legal department under Jacob Karp.

AFTER 4 MOS. FRENCH ACTRESS GETS BREAK

Hollywood, Feb. 18.

Michele Morgan, French film actress, makes her Hollywood debut at RKO in 'Joan of Paris,' a yarn of present-day France, written by Jacques Thiery and Georges Kessels.

Mlle. Morgan has been in Hollywood four months polishing up her English.

Mooney Catchem Fast

Hollywood, Feb. 18.

Martin Mooney is first to cash in on the human interest yarn of the Kansas collie, flown to his major at Camp Ord, near Monterey, Cal., after pooch had lost 15 pounds and gone on a self-imposed hunger strike following his master's call to the colors.

Mooney has turned out 'Laddie's Loyalty,' which Jed Buell will produce, starting March 4, for Producers Releasing Corp. William Beaudine will direct.

To Quiz Miss Twelvetrees

Helen Twelvetrees will be examined before trial Feb. 25 in New York federal court, according to a notice of examination filed by RKO Pictures in that court Thursday (13). The actress is suing the company for $100,000 damages claiming libel.

Miss Twelvetrees claims that RKO's 'I'm Still Alive' is based on her life with her former husband, Jack Woody, a Hollywood stunt man. She also seeks an injunction and accounting of profits.

On Friday (14) RKO filed a general denial to the action and asked for a dismissal of the suit.

'LADY' FURTHER UNLOOSENS PAR'S B.R.

Success of 'Lady In the Dark' has whipped up interest at Paramount, which owns a one-third chunk of the musicalegiter, in another. Company has on the fire now another script which is being rewritten by the author along lines laid out by Par. If it works out satisfactorily it will be produced before the end of the current season; if further revisions are necessary it will be held over until September.

Par execs refuse to discuss what the new script is until they have it in satisfactory form, except to say it is a definite film possibility. Studio will probably take a piece of it equal to what it holds on 'Lady.' It will not be produced, however, by Sam H. Harris, who did the latter.

One of the things that has Par interested in going ahead on legit backing is the fact that, as it figures it, the investment in the Gertrude Lawrence starrer will bring the cost of film rights, which it purchased last week, down from the $285,000 nominally paid to between $200,000 and $225,000. That fact made it possible to outbid Warner Bros., which offered $275,000. Howard Hughes later offered $300,000, but the Par deal was already, informally at least, sealed.

Par, as an investor, got approximately $20,000 back from the sale of the screen rights, bringing the cost down to $265,000. With 20% interest in the operating profit of 'Lady,' it anticipates about $60,000 return from this source in the next two years. That's figuring a total of $300,000 profit, tremendous but considered highly possible at the pace the show is currently hitting.

Spewacks' $60,000 To Adapt Molnar Play

Hollywood, Feb. 18.

Next Charles Laughton starrer at RKO will be Ferenc Molnar's 'The Play's the Thing,' just acquired as a Robert Sisk production. Bella and Sam Spewack have been signatured by studio to work on the script for a reported $60,000.

Spewacks are due from New York latter part of the week to start their chore, with Laughton reporting as soon as he completes 'Almost an Angel' at Universal.

A Soldier He Will Be

Hollywood, Feb. 18.

George Sherman, Republic producer, has been summoned in the draft and expects to be called to duty shortly.

Sol Shore, writer on the same lot, has already left for training at Fort McArthur.

Other News Pertaining to Pictures

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Metro's 'Gone' Cues That Co. to Ask For Bigger Slice of Brit. $12,900,000

Universal Contingent Back to Hollywood

Virtually the entire Universal studio contingent which had been in New York recently returned to the Coast over the weekend. Only one remaining east was Matty Fox, who trains homeward next Wednesday (26).

Dan Kelly, casting director, who came to Manhattan for a three-day visit following the company's Chicago sales conclave, left New York on Saturday (15). Writer Felix Jackson, producer-writer Bruce Manning, and assistant director Frank Shaw, who had been to the 'Back Street' opening in Miami, left New York Friday (14).

John Joseph, company's pub-ad head, who had come east more than a month ago to arrange the 'Back Street' preem, pulled out for the studio on Saturday (15).

Abbott to Direct, Not Produce, Pic For RKO, Before Col.

Deal is virtually set, it is understood, for George Abbott to direct a forthcoming Ginger Rogers picture at RKO. Confabs between the legit producer and RKO prez George J. Schaefer before both left New York last week, are reported to have resulted in an understanding, although no papers were signed.

Vehicle for Miss Rogers has not been definitely selected, but it would follow 'Tom, Dick and Harry,' in which she is currently working. Abbott, under present plans, would direct, but not produce. Last summer he both produced and directed the film version of his Broadway musical, 'Too Many Girls,' for RKO. He is also under contract to Columbia to produce and direct 'Pal Joey,' his current musical hit which that studio recently bought.

Abbott is vacationing in Florida and will probably head for the Coast in April if the RKO deal is consummated. Col is talking about doing 'Pal Joey' in late spring or early summer, but the producer's New York office is less optimistic, figuring the legiter will run longer than that and Abbott won't want to halt it until it's pretty well milked dry.

ED DMYTRYK DRAWS DIRECTOR PACT AT COL.

Hollywood, Feb. 18.

Edward Dmytryk was signed to a four-picture directing deal at Columbia.

Recently Dmytryk graduated to the director ranks after experience as a film cutter and dialog director.

Lonergan Moppet Gets Another Sis Role, in Pix

Hollywood, Feb. 18.

Lenore Lonergan, 12, who has been playing Katharine Hepburn's sister in the stage version of 'Philadelphia Story,' has been signed by RKO for the part of Ginger Rogers' sister in 'Tom, Dick and Harry.'

This will be first screen role for moppet, who will quit 'Story' road company. She is daughter of the late Lester Lonergan, Irish character actor.

Saville Comes Up Smilin'

Hollywood, Feb. 18.

Victor Saville, with two pictures currently in work, is pushing preparations on his third, 'Smilin' Through,' for an early March start at Metro.

Before the cameras are 'A Woman's Face' and 'Dr. Jekyll and Mr. Hyde.'

Clark's Nursery Rhymer

Hollywood, Feb. 18.

Sol C. Siegel named Colbert Clark associate producer on 'Little Miss Muffet,' first of four pictures to be started by the Siegel unit at Paramount in the next two weeks.

Other three are 'The Night of Jan. 16,' 'Buy Me That Town' and 'Henry and Dizzy.'

Arbitration proceedings before Milton Handler, Columbia University professor and attorney, to determine how $12,900,000 British revenue due American major companies will be allocated among the eight companies are continuing with no early decision anticipated. This is the money the British government is permitting U. S. major distributors to remit to this country in the 12-month period ending next October.

All companies huddled simultaneously with Handler up until last Friday (14) when the general summary of the situation had been presented the arbitrator. From now on it will be a matter for each distributor to set forth his individual case.

Crux of whole situation centers on 'Gone With the Wind,' with the hefty grosses piled up by this picture on the British Isles providing Metro with its incentive to demand an allocation of coin as per the volume of current business. Because the picture had enjoyed the bulk of its larger, key playdates in period last year before Oct. 28, it naturally would get the lion's share of the money remitted to U. S.

Present arbitration will set specified percentages per company, the final decision being retroactive to Oct. 28 last year. Thus far distribution coin from Great Britain has been received in U. S. by the major companies covering nearly the first three months of the frozen-coin pact which began late last October.

This money is being split up according to temporary percentages agreed on last December, with the arbitrated percentages applied to the entire $12,900,000 as soon as a satisfactory agreement has been reached.

PLENTY OF GIANTS BUT NO ACTORS, SAYS METRO

Metro's talent department found a flood of giants—but no actors—on its doorstep Monday (17) morning in response to tips to New York columns that it would interview applicants for the parts of the six 'Forrester brothers' in the forthcoming filmization of 'The Yearling.' Result was that all the prospects were turned down for lack of experience and Metro will start on another tack in its search.

Specification in Marjorie Kinnan Rawling's novel, from which the picture is taken, is that the boys be six feet, six inches tall, but Metro is compromising on a minimum of six feet, four inches.

Week of Rain Drives Film Troupes Indoors

Hollywood, Feb. 18.

Heavy rains, which drenched Southern California for week, drove all producing companies working on outdoor sequences to the artificial light of the sound stages, where the players and technicians were not forced to wear rubbers.

Warners was heaviest hit, four of that company's troupes being forced to flee the proverbial natural sunshine. Taking shelter from the rai were 'The Bride Came C. O. D.' 'Sergeant York,' 'Highway West' and 'The Gentle People.'

Marilyn Hare's $75 Wk. But Yet to Make a Pic

Hollywood, Feb. 18.

Revealed in the court approval of her minor contract for another year that Marilyn Hare drew $75 weekly at Republic without appearing before the camera.

She's the daughter of late Ernie (Jones and) Hare, of radio's 'Happiness Boys.'

METRO'S TEXAN HEROINE

Austin, Tex., Feb. 18.

'Blossoms in the Dust,' based on the life of Edna Gladney, founder of the Children's Home and Aid Society here, and written by Ralph Wheelright, has been placed in production at the Metro studios in Hollywood.

Starring roles will be played by Greer Garson and Walter Pidgeon.

NO PRESSURING EXHIBS

Columbia's Attorney Hints 'Little 3' May Be Forced to Abide by Govt.'s 'Blocks-of-5' Selling After All

Complete termination of the Dept. of Justice's anti-trust suit against Columbia, United Artists and Universal apparently is not far off. Louis Frohlich, attorney for Columbia, told Judge Henry Warren Goddard in N. Y. federal court on Monday (17), at the conclusion of a two-hour session, that Columbia 'is slowly being forced into selling in blocks of five against its will,' and probably 'will soon have to adopt that policy.'

If Columbia accepts blocks of five, there seems little doubt but that Universal will follow suit. United Artists has never sold in complete blocks. This would cover the main feature of the new government complaint, and that would probably settle the action.

The Columbia's attorney concession came at the end of a dry and uninteresting two hours of argument before Judge Goddard, with the 'little three' seeking a dismissal of the government's amended complaint against them. This was denied by the court, Judge Goddard declaring, 'I am convinced there are issues here for trial.'

Frohlich then asked for 30 days to answer the government complaint declaring that, on Friday, he would have to argue his motion for a dismissal of the Crescent suit in Nashville. The court compromised on 20 days.

At the outset of the hearings Frohlich declared that he would just submit a brief as he had already presented all his arguments as to why the action should be dismissed to the court at a previous occasion. At that time Frohlich had contested the right of the government to file an amended complaint, but this had been denied to him. Judge Goddard turned to the Columbia attorney and asked him if he expected the court to reverse its former ruling. Frohlich replied directly and to the point, 'Frankly, no.'

Benjamin Pepper, representing United Artists and Universal, then took up the cudgels for his clients. He pointed out his appliestion had not been denied previously, and he would make some new points. Pepper then declared that the first complaint had sought to break up a Sherman anti-trust monopoly by forcing the five producer exhibitors to divest themselves of theatres.

He remarked that Paul Williams, U. S. prosecutor at that stage, had declared that he felt that Columbia, UA and Universal should be on the government's side of the fence. Under the decree as it now stands, divorcement is discarded, and an illegal combination is formed with government approval, it was stated. Blocks-of-five puts the 'little three' on the outside, as they now become the victims of the new distribution system. 'Today our pictures are in demand because of a shortage of product, and we can demand that the major film company and its theatres take 100% of our product. Under the other system we will be ruined,' declared Pepper. Judge Goddard interrupted at this point to ask if what Pepper wanted was the court's consent to sell to unwilling exhibitors 100% of his product. 'That is the government's argument, not yours,' remarked the court. 'You are asking me to foster an illegality on unwilling exhibitors.'

Horkheimer's Probation

Los Angeles, Feb. 18.

H. M. Horkheimer, former independent screen producer and one-time president of Balboa Films, drew a suspended sentence with a five-year probation period in the U. S. Circuit Court.

He was convicted on a charge of extortion.

ROAD CO. ANGELS

Metro and Paramount's Staffers Also Backing B'way Legits

Metro and Paramount, each of which is backing a Broadway play, each also has a member of its New York staff independently interested in a legiter.

William Deering, of Metro talent department, is co-producer of 'Out of the Frying Pan,' which opened last week, while John Byram, head of Par's play department, is one of the 21 backers of 'Arsenic and Old Lace.'

Warners Wants Hellinger Not To Take a Walk

Hollywood, Feb. 18.

Mark Hellinger to reconsider his action in tendering his resignation as an associate producer last night (Monday), after a long series of disagreements with executive producer Hal B. Wallis. It is understood that Hellinger couldn't see eye to eye with Wallis on story selections and preferred to bow out rather than continue with the conflict of ideas.

Hellinger had turned out six pictures in the last 18 months. His current pact has more than a year to go.

RICHARDS MEETS PAR TOPPERS IN MIAMI

E. V. Richards of New Orleans, head of the Saenger circuit and member of the Paramount board of directors, has arrived in Miami on his yacht to take part in discussions being held there with high Par h.o. executives on matters concerning the company, policy, planning ahead, etc.

Barney Balaban, Stanton Griffis, Austin C. Keough and Leonard Goldenson, all in Miami, are taking part in the conferences.

10 U Officers Protest Pre-Trial Examination

Ten officers and directors of Universal Pictures Co., Inc., filed an appeal to the appellate division of the N. Y. supreme court Friday (14), from order of Justice Charles B. McLaughlin last month, ordering their examination before trial. Suit is being brought by Samuel I. Posen, a director.

Posen charges waste and mismanagement, a loss of over $2,000,000, seeks an accounting from directors, and a dismissal of those responsible.

On Feb. 24 Posen will bring an application to examine Willard McKay, formerly an officer and general counsel of Universal, before trial.

Mayo at Korda Helm

Hollywood, Feb. 18.

Walter Mayo moves in March 1 as production manager for Alexander Korda Films, taking the place of Ray Klune, who shifts back to work for David O. Selznick.

Mayo was assistant director on the Korda production, 'Lady Hamilton.'

LEAN BACKWARDS ON FILM DEALS

Even Now, Before the 1941-42 Selling Season Starts, Distributors Don't Want to Incur Needless Headaches From Arbitration Complaints

SALES MANUALS

On orders from home offices, exchanges are now exercising extreme caution in their dealings with exhibitor accounts in order to minimize the chance of complaints and avoid wherever possible the necessity, as well as expense, of arbitration proceedings. Branch managers, salesmen, bookers and others are already bending backward so far as pressuring exhibitors, forcing shorts and indulging in other practices which might cause trouble under the consent decree.

Although the new method of selling, in blocks of no more than five features at a time (excepting westerns and foreigns), will not begin until negotiations open on the 1941-42 product some time this summer, the distributing companies are attempting to guard against any trouble prior to then. Under the decree, arbitration went into effect Feb. 1 and, also under it, any violations that come up now may be brought up for hearing and decision, plus fines against offending distribs if, in the opinion of the arbitrators, such penalties should be levied.

When selling under the consent begins in June or July, even greater care will be taken to avert any dealings in relations with exhibs that may provide an opening for complaints that the decree is being violated. With only a handful of cases already filed against various distributors who are party to the decree, the bulk is expected to come this summer when deals for '41-42 pictures are being negotiated, together with demands for change in clearance, etc.

Keep Legal Costs Down

Among other things and aside from an honest effort that is being made to live up to the letter of the decree, the distribs are anxious to keep legal expenses down. Too many arbitra-

(Continued on page 55)

FRANK FREEMAN AGAIN HEADS PRODUCER ASS'N

Hollywood, Feb. 18.

Y. Frank Freeman has been re-elected president of the Producers Association. Others voted another term were E. J. Mannix, first vice-president; Cliff Work, second v.p.; Fred Beetson, executive v.p.

Date for resumption of negotiations with the Screen Actors Guild on situation regarding extras was set for March 20. Producers also approved a wage increase of 50c an hour for studio scenic artists.

Will Hays spoke briefly at meeting on foreign conditions and effects of war on the picture industry.

Blumenthal With DeSylva

Hollywood, Feb. 18.

B. G. DeSylva, newly named exec producer at Paramount, has added Richard Blumenthal to his staff of associate producers.

Blumenthal was formerly assistant to Arthur Hornblow, Jr.

Col. Execs East

Hollywood, Feb. 18.

Jack Cohn and Abe Schneider train out of here tonight (Tuesday) for their New York headquarters.

Columbia execs have been at the studio for the past two weeks on product confabs.

Korda Stymies Buyout of Goldwyn For $300,000, Unless He's Given His UA Stock Sans Further Payments

SCHENCK TRIAL MARCH 3

Points in His Favor on Income Tax Allowances

Trial of Joseph M. Schenck, chairman of the board of 20th-Fox, and Joseph H. Moskowitz, eastern talent scout for the company, for alleged income tax errors was postponed to March 3 in N.Y. federal court Monday (17) by Judge Alfred C. Coxe. Inability of the Government to secure a judge to hear the case, and the probability of having to drop and revise some of the charges against the film executives, due to recent Treasury Department decisions affecting the manner income is computed, necessitated the delay.

The case will be tried by Matthew Correa, newly appointed U. S. attorney for the Southern District of N.Y., who replaces John T. Cahill, resigned. Both defendants maintain the Government is in error in bringing the charges, and state that the entire case hinges on an interpretation of deductions allowed under the law.

Schaefer Takes Charge of RKO Studios in H'wood

Hollywood, Feb. 18.

George J. Schaefer today issued statement he will take complete charge of RKO-Radio studios and stay on the Coast for an indefinite period. He made no mention of the reported shakeup in high places or new alignment of producers.

Schaefer stated that J. J. Nolan will continue as his assistant.

Aylesworth's Cue

Inside info on George J. Schaefer's action in taking charge of RKO's studios in Hollywood and announcing his intention of staying on the Coast most of the time is linked with a cue dropped by M. H. Aylesworth several months ago. He tipped the Coast news boys that Ned Depinet might take over the studios, but it now appears that he only was trying to sell the idea to the RKO directorate.

When the story broke, Schaefer immediately went before the board of directors and voiced his objections to any change. Result was seems likely that he might have been shifted to production if the story had not broken.

HAYS H. Q. IN LONDON DESTROYED BY NAZIS

Offices of the Motion Picture Producers & Distributors Assn. and many of the association's British records in London were destroyed by a fire which gutted the building over the weekend. Understood that the blaze was started by Nazi incendiary bombs but few details were contained in the cable received by Major Frederick Herron, Hays office foreign chief, from F. W. Allport, who represents the MPPDA in Great Britain.

The Hays office in London has already reestablished itself in new quarters. Allport has been in London ever since before the war began, aside from an occasional trip for private huddles in New York.

Continued resistance of Alexander Korda to the deal worked out by United Artists with Samuel Goldwyn is stalling the producer's departure from the company. Korda is reported demanding that if Goldwyn's 20% interest in UA is bought up for $300,000, the company hand over to him without further payments the one-fifth share of UA stock he has been buying from profits.

Inasmuch as any action in buying out Goldwyn must be unanimously approved by the other four stockholders, Korda's attitude may hold up the deal indefinitely. Meantime, however, myriad of details involved in Goldwyn's departure is being worked out by attorneys both sides. Stickler in these parleys is said to be allocation of profits between active and non-active members of the organization.

Serving as UA pivot man in the negotiations is understood to be Herbert Maass, Mary Pickford's rep on the board of directors, while Goldwyn's side is being protected by James Mulvey, v.p. and eastern rep of the producer, and a couple of attorneys from the office of George Z. Medalie in New York.

Harry Muller, UA treasurer, went out to the Coast last week also to take part in the negotiations. He'll handle the figure work involved in making the corporate divvy. Among hundreds of problems faced in completing the deal are who is to pay certain taxes, who owns reissue rights and for how long, who gets residual coin still coming in on Goldwyn films, and many other such points.

EARLE HAMMONS BACK INTO PIX PRODUCTION

Plans for his starting on production of a 'pretentious' film for major release will be formulated in two weeks, Earle W. Hammons, former head of Educational and Grand National, said Monday (17). Release has already been arranged, he declared.

Hammons stated treatment is now being prepared and may be ready at the end of the current week. He refused any further details of the production at this time. It will be made on the Coast.

Studes Get Their Film Knowledge From Experts

Hollywood, Feb. 18.

Film industry, long un-academic, has gone collegiate. Four lecturers from the studios are conducting courses for University of California (Los Angeles) Cinematic Department and others are making guest appearances.

William Keighley is entering his second semester as instructor of future directors. Alfred Hitchcock is lecturing on technique in melodrama. Boris Morros has a course on music in pictures, and Fred Metzler, 20th-Fox studio treasurer, is explaining the financial problems of film-making.

U Signs Abbott-Costello For 1 Year; Now on 3d Pic

Universal's option on Abbott and Costello is reported to have been lifted last week for one year's service at the studio.

Comedy pair are now winding up work in their third film for U. It's 'Oh, Charlie,' on which camera work will finish today (Wednesday). First two were 'Night in the Tropics' and 'Buck Privates.'

ALREADY SOME SHARP HORSE-TRADING ON '40-'41 PIX DEALS IS ANTICIPATED

Indies, If Buying Non-Consent Distribs' Product, May Prove Balky on Majors' Rental Demands—Backlog of Other Pix an Asset in Making Deals

An unprecedented amount of bargaining between exhibitors, particularly independents, and the major distribs looms this summer the way the 1941-42 selling season is shaping up. Fact that many exhibs will have forearmed themselves by contracting for pictures from one or two distributors, operating outside the Federal consent decree, is expected to bring about this situation.

The five major companies operating under the consent decree are expected to go into the selling season confronted by innumerable exhibitors who previously have set themselves with sufficient product to withstand too heavy pressure from larger distribs. It's now estimated that many independent exhibitors will have made deals with at least one non-decree operating distribution company before the five majors are able to offer any deals whatever. These non-decree distribs are United Artists, Columbia, Universal, Republic and Monogram plus lesser indies. With nearly all five going ahead with early selling plans, it is a natural likelihood the indie exhibitor will fortify himself with product when attractive deals can be made. In addition, many exhibs will have some 10 to 15 features, not of the strongest sort, possibly held over from the previous season.

With some 40 feature pictures thus assured, the average exhibitor may be able to dicker for worthwhile deals from majors working under the consent decree setup. And such average exhib is likely to balk at accepting 10 features if and when that number is offered in two blocks as some distributors hope to do early this summer. Exhibitor's demand for only five features is likely to be answered by the distributors claim that a better percentage deal probably can be worked out if the batch of 10 is accepted.

Beat Down %?

Such bargaining fits in with the exhibitors' line of argument that he can use 10, but not under any 40% deal originally offered. Such development would give the distrib an opportunity to lower the percentage to 35 or 30 if the exhib will take all 10 pictures.

Decree rules forbid the distributor from arbitrarily offering a lower percentage deal for more pictures than in a minimum lineup. Hence the decree would not countenance the distrib selling 10 features for 30% and demanding 40% if the exhibitor account wanted only five films. By asking 40% originally for 10 films the distributor will be enabled to duck this onus because the exhib taking only five has the original percentage of 40% levied on him. The reduction to 30% hence figures as a bargaining point without violating the decree wording, it is claimed.

Presently it looks as though few majors will be selling more than 10 features in two groups at the outset. Also it seems evident that the average exhibitor will not be eager to accept original terms offered if he has fortified himself with product from non-decree distribs. Net result is liable to be that the exhib, who is protected on product for a couple of months, will be in a position to take his time signaturing for product.

This situation is one that is being studied closely by consent-decree majors to ascertain just how serious such a stalemate on buying terms might develop. It is a setup which is likely to speed up production for the 1941-42 season by the five consenting majors so they will be in a position to actually get out selling in opposition to the five non-consent distributors at an early date.

Kodak's 3% Discount

Hollywood, Feb. 18.

Jules Brulatour, distributor of Eastman Kodak raw stock, will start giving 3% discount to buyers of film stock, negative and prints, effective Feb. 20.

This represents a saving to film producers estimated at $75,000 annually.

Defer U's Corporate Revamp Until World Conditions Improve

Universal directors held their regular monthly meeting Monday (17), with only routine business transacted. Following this session, it appeared that any further steps on simplifying the company's corporate setup via bringing in additional first preferred shares probably will await the annual stockholder's meeting, March 15, at Wilmington, Del.

Besides unsettled world market conditions, difference in views among representatives of larger holdings of U securities thus far have deferred final formulation of a plan for retiring 10,739 shares of first preferred still outstanding. This might conceivably be ironed out at the stockholders' session, but probably will have to be worked out in advance by the board. Company will elect 13 directors at the coming meeting, with only one new director likely, this being somebody to take the place left vacant by William Freiday's resignation.

In the meantime, Universal is going ahead and exercising sinking fund provisions of the company charter which permit the retirement of 1,500 shares annually. However, it is understood that if U earnings should take an unusually strong spurt, this annual retirement might be boosted above 1,500.

Company has retired 7,261 shares of this preferred since Jan. 1, 1940, with 1,500 in accordance with sinking fund provisions for the '40 calendar year and 1,170 shares in anticipation of 1941 sinking fund payments. Remaining 4,591 shares were purchased via the December tender plan.

Calling in all first preferred shares, when done, would leave only the old common and certificates for the new common shares still outstanding. Although it would take about seven years to bring in remaining outstanding first preferred to the Universal treasury, it is reported that company officials are hoping some means can be devised to accelerate retirement of this stock.

WB READYING STAGE, BOOK BUYS FOR PROD.

Hollywood, Feb. 18.

Warners is readying a number of Broadway stage plays and literary best-sellers for early production. 'The Gentle People' has already started and studio will put 'Arsenic and Old Lace' and 'Old Acquaintance' in work shortly.

Other plays now preparing at the Burbank studo are 'The Man Who Came to Dinner,' 'George Washington Slept Here' and 'The Male Animal.' Best-sellers owned by company include 'King's Row,' by Henry Bellamann; 'One Foot in Heaven', by Hartzell Spence; 'Captain Horatio Hornblower,' by C. S. Forester; 'The Constant Nymph,' by Margaret Kennedy; 'Quietly My Captain Waits,' by Evelyn Eaton; 'Out of Gas,' by Charles Nordhoff and James Norman Hall; 'Mr. Skeffington,' by Elizabeth; 'Danger Signal' and 'The House on the Hill,' latter by Somerset Maugham.

Dietrich to Warners For 'Hard to Get'

Hollywood, Feb. 18.

Marlene Dietrich moves to the Warner lot for the first time to co-star with George Raft and Humphrey Bogart in 'Hard to Get,' which formerly had title of 'Handle With Care.'

Raoul Walsh will direct, Mark Hellinger drawing the associate producer assignment pro tem.

Better Get Goin' While Rains Keep It Green

Hollywood, Feb. 18.

'How Green Was My Valley,' postponed for a time, is slated to start in June at 20th-Fox. Ida Lupino, tentatively cast for one of the top roles, will be available at that time.

Westwood lot bought the story for $50,000 and invested another $100,000 for outdoor sets near Malibu Beach. Young British actor, Roddy McDowall, has been kept under contract for months to ride out the casting difficulties.

Expect Consent To Help Detroit Zoning System

Detroit, Feb. 18.

This town probably will go into its new picture zoning plan when the new five-unit contracts come into existence.

Plan, which is the brainchild of Frank J. Downey, Metro manager here, would provide an equitable 'flowing out' of pictures. Agreement among all the exhibitors will work it out and the present indications are that with the big outfits in the fore on the plan, both Cooperative Theatres of Michigan and the United Detroit chain, the smaller operators are more than willing to go along.

With the bulk of the seasonal contracts for the present product out of the way, it is providing an opportunity to whip up the new plan which it is believed can be launched with the new five-picture contracts.

The general idea of the plan is that Detroit whacks up readily into East and West Side zones. All second run houses on one side of town would take the same product for a certain run while houses on the other side of town would be showing the same unity with a different bill. The following week pictures would cross the line with the East Side taking over West Side product of the previous week and reverse. All houses of the same run would be equalized in the same manner, comparable theatres all down the line on each side of town having the same product and using the switch-over tactics on a natural geographic basis.

Belief is that it would wipe out spottiness of bills, unfair angling and permit a much better balancing up of film bills to the benefit of all concerned.

ARBITRATION PANELS IN 27 KEYS SET UP

Arbitration panels for 27 key cities, comprising some 300 men of wide experience along these lines, were announced this week by the American Arbitration Association for the film industry. This action meant that every exchange area in U. S. had its minimum panel requirement of 10 men and was able to proceed with any case arising in the film business since the consent decree was signatured last year.

Panels of arbitrators were set for Atlanta, Boston, Buffalo, Charlotte, Chicago, Cincinnati, Cleveland, Dallas, Denver, Detroit, Kansas City, Los Angeles, Memphis, Milwaukee, Minneapolis, Des Moines, New Orleans, Oklahoma City, Omaha, Philadelphia, Salt Lake City, Portland, Pittsburgh, St. Louis, San Francisco, Washington and New York.

Largest single panel was that of the New York City area with the AAA picking 45 men to handle cases in N. Y. and Brooklyn as well as surrounding territory.

Thus far the arbitration offices have received exactly four complaints from exhibitors unless a squawk from Cleveland is judged as legally coming within the scope of the AAA just now. Cleveland exhib's complaint has been referred to the legal department because it concerns a theatre which will not be completed until March 15.

Consent to K.O. Previews?

Sneakpreviews may be prohibited under one interpretation of the consent decree. Guinea pig experiments are forbidden by a clause which provides that no picture may be shown for profit before it is screened at a formal trade exhibition.

Studio attorneys are preparing a protest against the strict interpretation of the rule. They contend that a sneak, although realizing a small profit, is a necessary part of production.

Minnesota, Mpls., Again Talking Trust Suit; Esquire, Pix-less, Dark

Minneapolis, Feb. 18.

Instead of resorting to arbitration, the Middle States Corp. of Milwaukee, operating the 4,000-seat Minnesota here with a vaudfilm policy, may wage a fight in the courts because of inability to obtain major screen product for the house.

Joe Rosenberg, Chicago attorney, has been retained by the corporation, which also has the Riverside, Milwaukee, and he was here last week to make a 'survey' of the local situation to determine what course to pursue. A damage suit against the film companies and the Minnesota Amus. Co. (Par). Mort H. Singer pool, which has practically all of the major product sewed up in the loop here, is under consideration, it became known.

Rosenberg and his concern also were retained by the Benz Bros. of St. Paul, who operated the house for the owners with a similar vaudfilm policy during an unsuccessful 25-week period. The Benzes claimed, too, that their failure was due to major film distributors' refusal to service the house, and they threatened a conspiracy damage suit. However, when Minnesota Amus. made a deal for their Palace in the loop here the matter was dropped.

E. J. Weisfeldt, Minnesota managing director, charges that much major product, which his house should have, is being used up by Par-Singer in the 15-25c 900-seat Aster, where there are usually two changes a week or one every five days. However, the Aster is the only Minneapolis loop first-run theatre which doubles features and its policy has been in effect for a number of years.

Esquire's Beef

The Esquire, loop sure-seater owned by Bennie Berger, independent circuit operator, goes dark this week indefinitely because of inability to obtain satisfactory screen product. Berger says he's going before the arbitration board in a fight for pictures.

Berger recently took back the house from Irving Gillman who had bought it from him. Gillman also closed it because of product difficulties.

Meredith Buzzes 'Village'

Hollywood, Feb. 18.

Burgess Meredith replaced Spencer Tracy, who is ill, as narrator for 'The Forgotten Village,' the John Steinbeck story produced in Mexico by Herbert Kline, who is now hospitalized with appendicitis. Lewis Milestone is pinch-hitting for Kline during the recording.

Walter Wanger, Metro and 20th-Fox are reported interested in releasing the picture.

Wanger Lands FDR As Speaker, via Radio, At Academy Banquet

Hollywood, Feb. 18.

Officers of the Academy of Motion Pitcure Arts and Sciences, headed by Prexy Walter Wanger, are taking bows for having landed the President of the United States to address the awards banquet, night of Feb. 27, with all networks carrying the talk.

It marks the first time that a President has spoken directly to the motion picture industry. The nearest previous occasion was when Charles Curtis, then vice-president, was a guest at the annual awards banquet.

It developed that Wanger, on his recent trip to Washington, extended a personal invitation to President Roosevelt to attend the banquet, and failing in this the Academy prexy was successful in getting the President's promise that he would address the industry via the radio while the banquet is in progress.

Arrangements have already been made for loudspeakers outside the Biltmore hotel, where the banquet will be held, so that thousands unable to crash the hotel where the festivities are taking place will be enabled to hear the talk.

Bob Hope has been named emcee at the awards banquet, with reservations rapidly approaching the 1,000 limit.

Farciot Edouart has been named chairman of a committee to select the one production to receive the Academy award for special effects.

Alfred Lunt and Lynne Fontanne, here with 'There Shall Be No Night,' will hand out statuettes to the best actor and actress at the Academy awards dinner. Quentin Reynolds ditto in the writers' division.

Old Meighan Pic for Hope

Hollywood, Feb. 18.

Bob Hope's new starrer at Paramount is 'Back Home and Broke,' a modernized version of the old George Ade yarn filmed a generation ago with Thomas Meighan.

Picture follows 'Nothing But the Truth,' in which Hope appears with Paulette Goddard.

Studio Contracts

Hollywood, Feb. 18.

Anne Barrett drew a stock player contract at Columbia.

Universal lifted Jeanne Kelly's player option.

Metro renewed Harold Ross as cameraman.

Julia Bishop drew acting ticket at Warners.

Republic hoisted Marilyn Hare's player option.

Warners handed Faye Emerson a contract.

Edward Brian signed to ride in four Range Busters for Monogram release.

Eddie Cronjager drew new cameraman ticket at 20th-Fox.

LACROSSE'S $1,476,900 SUIT VS. PAR RESUMES

Madison, Wis., Feb. 18.

LaCrosse Theatre Co.'s $1,476,900 antitrust suit against Paramount and others is again up in Federal court here, trial having been resumed yesterday (Monday) before Judge Patrick T. Stone after having been recessed since last Nov. 6 when plaintiff's counsel, Robert A. Hess, of Milwaukee, suffered a collapse. He is now fully recovered.

Court proceedings are starting all over again, practically from scratch, with a new jury being selected, a restatement of the case for its benefit from counsel on both sides, and new instructions from the judge. The often delayed case is now expected to be fought out to its conclusion, with trial occupying several weeks.

Eddie Ruben, defendant, and president of Wellworth Theatres of Wisconsin, organized allegedly by Paramount to build the new Hollywood theatre in LaCrosse, who had just started to tell his story when the case was previously before the court, is the first witness to be called in the new trial.

Ruben is alleged to have entered LaCrosse as a representative of Par in a 'freezeout' attempt to purchase LaCross Theatres holdings at an inadequate price. Failing in this, it is charged that the Hollywood was built and the plaintiff thereafter deprived of the product to which it had heretofore had exclusive rights in the town.

NW WANTS BLOCK-SELLING

Newsreels Mull Spot News Plan To Enhance Their Value for '41-42

Transformation of newsreels, from present setup of 10 to 12 items per issue handed exhibitors twice weekly, into a news service selling national and local news events on a short feature rental basis looms for the 1941-42 season. Consent decree provisions may hurry its actual arrival of an extensive scale. Whether newsreels in current pattern and twice-a-week will continue, once the news service idea catches on, is receiving consideration already by newsreel excecutives and shorts sales managers.

Basically the new newsreel coverage idea is for sweeping treatment of any outstanding news event, whether of national import or merely vital for one particular locality. This would include nationally known grid games, big pro football contests, major conflagrations, disasters, on a nationwide story such as the president's inauguration. Two and three reels would be devoted to such coverage, with the subjects usually sold on short feature terms.

This is something many newsreel editors have advocated for years but only recently have been able to get any place in convincing top executives. Newsreel chiefs long have urged getting away from set pattern employed today while advancing the idea that something must be done to obtain additional money for their subjects.

Recent tests of the news service plan are said to have convinced some salesmen that there's real gold in the newsreel hills' if accorded full coverage in one subject. Whether the consent decree has any material effect or not (many in the industry feel it will have), the old era of using the newsreel as a 'slug' or a giveaway to accompany feature product appears on the way out.

Grid Games Big B.O.

Two football games last season are now credited with being eye-openers on possibilities of this news servicing. First was the Boston College-Georgetown game in Boston. Fact that the contest proved a sensational gridiron battle decided by one point enabled two newsreel outfits to make terrific boxoffice of their full footage. One company put out a 40-minute subject while another devoted 45 minutes to the game. The newsreels did this as a service to exhibitors but were convinced that it would not happen again on the usual newsreel rentals.

Second affair was the Boston College triumph over Tennessee in the Sugar Bowl game. At least one newsreel made three reels of this contest and sold it on short features terms to Mullins & Pinanski and several other metropolitan circuits touching Boston and adjoining territory. One newsreel is reputed to have grossed $10,000 on this bowl game, with cops needed to hold back crowds at the South Boston station newsreel theatres and several other houses.

It's no trade secret that several newsreels now are laying plans for additional news service shorts of this sort. One is preparing to cash in one several outstanding spring festivals, which in the past have been handled in 500 feet, with the exhibitors getting the film merely as a service. Initially, the reels are contemplating such shorts only for surefire events in localized areas, where admittedly top money will be $8,000 to $10,000.

Sales Resistance

Sales resistance, naturally, is expected from exhibitors because it is something new and will cost money. However, the ability of such shorts to supplant a second feature on a dual bill as a boxoffice draw is figured the sales angle. Prelim estimates are that curiosity regarding on-the-spot news will prove a boxoffice magnet.

Besides outstanding national and world news events, top football games, unusual baseball and hockey matches, prizefights, annual grid bowl contests and similar athletic stories would come within the scope of this news service.

U Sells Away Again in L.A.

Los Angeles, Feb. 18.

Universal has again sold away from its regular Los Angeles first-run accounts, Pantages and RKO-Hillstreet, and has closed with the Paramount, Los Angeles, for first-run of 'Buck Privates,' starting (27).

Company has sold away from the Pantages-RKO several times during the 1940-41 season, being prompted to do so by piling up of product for the regular accounts which play RKO first-run and a selection of Columbia pictures. U opens its 'Back Street' at the Pan and RKO (28) for possible two-week run.

20TH'S FLOCK OF MUSICALS

Hollywood, Feb. 18.

Music grows more and more predominant on the 20th-Fox lot, with three tuners in work and a dozen more in preparation. Currently in the sound tracks are 'The Great American Broadcast,' 'Sun Valley' and 'Miami.'

In the offing are 'The Band Played On,' 'Song and Dance Man,' 'Rise and Shine,' 'Panama Blues,' 'A Straight Left,' 'Pearl Harbor Pearl,' 'Songs of the Islands,' 'Man Alive,' 'I Won't Dance,' 'Stand Up and Cheer,' 'Coast to Coast' and 'Dance Team.'

2 CLAIM 'DR. EHRLICH' FILM IDEA, SUING WB

Alvin R. Harnes, physician, and Howard A. Gray, film research man, filed suit Friday (14) in N.Y. federal court against Warner Bros. Pictures, Inc., seeking $75,000 damages for the alleged plagiarism of their idea in 'Dr. Ehrlich's Magic Bullet.'

Plaintiffs claim that they worked on the possibility of a screen story of Dr. Ehrlich's research work on venereal diseases in 1936, and submitted it to the film company which offered to pay if the story was used. The film, starring Edward G. Robinson, was based on their idea, plaintiffs assert. The suit was originally filed in N.Y. supreme court, and then shifted to the federal because of diversity of citizenship.

Greek Drive in Theatres Starting on March 25

Radio City Music Hall is the first theatre to have pledged itself to collect funds in the lobby during the week of March 25 for the Greek War Relief campaign being carried out under the chairmanship of Adolph Zukor. Hope of Zukor is to enroll every theatre in the country during the final week of March in the industry-wide drive to raise money for the Greeks.

Film houses are being placed on a direct quota basis by the various division managers throughout the country. John H. Harris is chairman of the exhibitor branch and Grad Sears chairman of the distributing division. Sam Goldwyn heads the producer unit.

Another GF for Universal

Hollywood, Feb. 18.

General Film Co., headed by Lawrence Fox, closed a deal to produce another picture for Universal, following completion of 'The Man Who Lost Himself,' which wound up last week under direction of Edward Ludwig.

Fox is mulling Universal story properties for his next production.

ALLIED WOULD LEGISLATE IT

Proposed Minnesota Law, If It Goes Through, Would Kayo U. S. Blocks-of-Five Enactment in That State

20% CANCELLATION

Minneapolis, Feb. 18.

Taking the lead in a move to knock the props from under the consent decree's plan of selling in groups of five, Northwest Allied on Monday (17) engineered the introduction into the Minnesota state legislature of a proposed law which would compel distributors to sell their entire season's product to exhibitors in one block, the same as at present.

If the measure is enacted, distributors also would be required to give exhibitors a minimum of 20% cancellation privilege and the forcing of shorts, serials, newsreels, foreigns, trailers, westerns and reissues would be made illegal.

The bill provides, as a penalty for violation and conviction, a maximum fine of $1,000, a year in state prison, or both.

At the same time, the independent exhibitors' organization issued a statement that the bill will be vigorously pressed for passage during the current legislation session, and the 'wholehearted support and indorsement' for the measure is requested of every theatre owner. Organization leaders do not anticipate any opposition from the film companies.

Out-of-Town Situations

The statement declares that Northwest Allied is 'firm and unalterable' in its opinion that out-of-town situations, many of which are hundreds of miles from the Minneapolis exchange center, as well as Twin City subsequent-run exhibitors, 'will be infinitely better off buying an entire season's output with a cancellation privilege of 20%, and with no forcing of shorts, than in attempting to operate under the consent decree's terms.'

Before having the bill introduced, it also was explained, there was 'a thorough canvass of the question of constitutionality involving the commerce and due process clauses of the Constitution.'

The bill's preamble charges that producer-distributors impose 'arbitrary terms and conditions' and that, in this connection, the independent exhibitor in Minnesota 'has been compelled as a condition precedent to licensing feature pictures also to license short subjects, newsreels, trailers, serials, reissues, foreign and western pictures far in excess of his needs or requirements.'

It's also charged in the preamble that Minnesota independent exhibitors have been 'unable to cancel feature motion pictures injurious and damaging to his business' and 'to play pictures undesirable and harmful to the public.'

'Block Booking Best'

The preamble also declares 'the long-established trade practice of licensing feature motion pictures for a full season is essential to the best interests of the producer-distributors, exhibitors and the public.' But it's claimed that the aforementioned producer-distributors' conditions 'have subjected independent exhibitors to unfair disadvantages, preventing him from responding to the community and local public influences and preferences with respect to the selection of desirable feature motion picture films and are inimical to public welfare and against public policy.'

In the bill the term 'season,' as applies to an entire season's output of films, is defined as 'a period of 12 months, as may be selected by the producer-distributor, provided, however, that there shall no lapse of time between the termination of one season and the start of the next.'

Relative to cancellation, it is specified as follows: 'Such cancellation shall be made proportionately among the several price brackets, if there be such price brackets in the license agreement. Any number of cancellations to which an exhibitor is entitled may be made from the lowest price bracket at the exhibitor's option. The right to cancellation shall not be effective unless the exhibitor exercises such right by giving notice thereof to the distributor within 15 days after being notified of the picture's availability. The right to cancellation may be waived by an exhibitor before or after the making of a license agreement, but such waiver shall be in writing.'

As to penalties for violation, it is stiplated that 'in the case of a corporation, the violation of this act shall be deemed to be also that of the individual directors, officers or agents of such corporation who have assisted such violation, who have authorized, ordered or done the acts or omissions constituting in whole or in part such violation, and upon conviction thereof any such directors, officers or agents shall be punished by fine or imprisonment, or both, as provided in this section.'

It is declared in the bill that any provision of any license (film contract) which is contrary to any provisions of this act is hereby declared against public policy and void.' Furthermore, the bill asserts, 'if any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstances is held invalid, the validity of the remainder of the act and the applicability of such provision to other persons and circumstances shall not be affected thereby.'

Partners Split, One Can't Use His New Detroit Nabe for 4 More Yrs.

Detroit, Feb. 18.

Ready to open in two weeks and almost completely equipped, the Carmen theatre here has been blacked out by a Circuit Court injunction. Under the terms of the court order the expensive new nabe can't go into operation for another four years because it was built too near the house of an ex-partner.

The action grew out of the split-up of Joseph Stoia and Joseph Miskinis as partners. When they went separate ways they made an agreement on Feb. 16, 1940, that Miskinis, who retained the Alden, was not to operate a theatre within four miles of the two houses which Stoia kept, the Midway and Circle, for a period of five years.

Ever since the Carmen has started up there has been litigation. First it was contended Miskinis was the backer working through relatives. However, at the recent hearing Stoia's attorney took a new tack in which it was contended that Miskinis still had an interest in the new theatre despite the lack of proof of direct ownership.

The court held that last year when Miskinis, after the first litigation, withdrew from the Carmen project he started construction of two other houses and made unusual advances to Philip Gorelick and Ben Marshall, the builders, who continued the construction of the Carmen. The court decided that these advances were just another way for Miskinis to put money into the Carmen.

It ruled that the Carmen can't be used until five years from the date of the original agreement, or until Feb. 16, 1945.

'Lady Be Good' Starts

Hollywood, Feb. 18.

'Lady Be Good,' remake of the Broadway musical, rolled yesterday (Mon.) at Metro under direction of Norman McLeod, with Eleanor Powell in the outstanding dance number, 'Fascinating Rhythm.'

Recording of the musical numbers started last week under supervision of Roger Edens and Georgie Stoll.

'Lady' Gets the Berrys

Berry Bros., Negro terp pair, were inked by Metro last week and shipped to the Coast on Sunday (16). They'll appear in a remake of the musical, 'Lady Be Good.'

Pair was last seen on Broadway at the Paramount about six weeks ago and have worked frequently at the Apollo, Harlem.

TO DROP 2,000 MORE EXTRAS

Hollywood, Feb. 18.

Understood that all extras who worked less than 20 days last year will be dropped from the list. Elimination of 2,000 more extras is believed under consideration in order to set up a preferential list of 4,500 day workers.

Producers and Screen Actors Guild Standing Committee has already sheared from the rolls all those who worked less than 10 days during the past year, but the cut was not sufficient to provide regular work for those who depend on the industry for a livelihood.

FLYNN ARRIVES FOR 'DIVE BOMBER' AT WB

Hollywood, Feb. 18.

Errol Flynn, who couldn't get air reservations from Honolulu, arrives by steamer tomorrow (Wed.) to start work in a flying picture, 'Dive Bomber,' at Warners.

Michael Curtiz is directing the film, with backgrounds shot at the Naval air training station at Pensacola, Fla.

'QUALITY' PIX POLICY DISPLACED BY SEXER

Rochester, N. Y., Feb. 18.

E. M. Loew's Embassy ended 'films of proven merit' policy last week after seven-weeks try at 10-15c, switching Sunday to sex film, 'Secrets of a Model,' at 20c top. House's previous policies made tough going for quality pictures.

Two groups are angling for the Embassy with plans to return to stage shows, provided City Fathers, who closed out dirty burlesque a year ago, will grant a license. Proposed shows would be 'musical comedy' with burlesque flavor. Outfit operating burlesque now in Bridgeport and Waterbury, Conn., reported to have an option contingent on obtaining a license. Counter-project would be locally bankrolled.

Cooper, Bracken Out Of 'Aldrich' Series

Hollywood, Feb. 18.

Jimmy Lydon replaces Jacki Cooper in future 'Henry Aldrich' pictures at Paramount. At same time Eddie Bracken, who portrayed Dizzy in the first two films of the series, will be replaced by Charley Smith.

'Henry and Dizzy' is title for the next Aldrich which Sol C. Siegel produces.

Brandt Scatters 'Baines'

Hollywood, Feb. 18.

'Scattergood Baines,' produced by Jerry Brandt for RKO release, is about to continue as a series through an arrangement between Brandt and the author, Clarence Budington Kelland. Deal calls for three films a year.

Guy Kibbee, Emma Dunn, Willie Best and Francis Trout are slated to play in all the pictures, with changes in the romantic leads.

National Interest in '9 O'Clock Plan' Although N. Y. Results Still Vague

While still too early to tell whether business will be increased to any extent under the plan of showing main features at 9 or 9:30 p.m., it is believed the policy will prove sufficiently valuable on many counts as an innovation to cause its acceptance throughout the entire industry in about six months. Already it is under wide study throughout the country, while also exhibs are watching and checking on the results in New York and other spots where tried.

While expected to be generally adopted, it is felt that for some houses there is little, if anything, to gain by rescheduling the shows, notably for certain theatres in downtown sections or for houses that do not grind later than 11 or so anyway. Also, such as in downtown N. Y. where transportation is no problem and very often a transient trade means considerable, the time the No. 1 feature goes on doesn't mean so much. Again, it is found in some cities that business people will come in around 10 o'clock under the old policy to catch the main film before going home. In areas where patronage is drawn from fair distances by car, operators believe the rescheduling to throw the top feature on at around 9 is more desirable, however.

Loew's is in the second week with No. 1 features at 9 p.m. in 31 metropolitan New York houses, while RKO last week moved the policy to numerous additional operations for a total of 33. In both companies it is noted that audience reaction is favorable but until comparisons on business and pictures over a period of weeks can be checked, it cannot be said what the difference in evening grosses will be. Neither of these circuits will move the policy to additional theatres, including in out-of-town situations, until a more reliable study of results can be obtained in N. Y.

Large independent circuits in the Greater N. Y. area are preparing to fall in line, including such leading double-billing chains as Brandt Bros., Skouras, Cocalis and Century circuit.

Brandts is taking the initiative in N. Y. with experiments with the 9 p.m. policy in the Town and Alden, N. Y., and at the Sutter, Brooklyn. If working out satisfactorily, Brandts will convert all of its double-billers into the same policy.

Warners, which is placing the top feature on screens in the New Jersey territory at 9 or 9:30 o'clock, is reported planning it for the Ohio area where duals are used. WB has been spotting the No. 1 film at the more convenient evening hours for sometime now in N. J. Its large Philadelphia circuit remains single-bill.

Detroit's Answer

Detroit, Feb. 18.

Solution of the twin-bill evil lies in giving the bargain-hunting matinee fans what they want and the evening crowds their preference rather than in time-juggling of features, is the conclusion of the Fox theatre here which will continue its policy of double features for matinees and soloing its top feature at night.

Experiment here brought out many significant facts including the answer to why polls showed that picturegoers voted for single features but failed to support such a policy.

Consensus of the vote at the 5,000-seat, downtown house here was 4½ to one in favor of the single feature. However, when those figures were broken down it developed that the evening crowds were overwhelmingly for single bills by vote of 10 to one, while the afternoon trade favored the double bill. It was proof that there are two distinct forms of theatregoers, with the daytime crowd taking all they can get for their money while the evening crowds want something good and not too much of it.

Although the Fox was using 'Back Street,' a strong femme picture for the experimental run, the test showed that male attendance was boosted heavily. Where males dumped their wives off at double-bills and then went bowling, with the single feature they evidently decided they could stick it out for one picture, even a woman's picture, and still have time to make an evening of it.

This latter thing, the evening out, turned out to be much more of a major factor than was expected. Manager David Idzal, through interviews, letters, compliments on the single feature, discovered a wide section of the public burned about having to sit in a theatre until midnight. When they went out for an evening the males reported they liked to catch good picture and then head for a night club, beer garden, bowling alley, all sorts of places to round out the evening.

Oddly enough, with a western, 'Western Union' as the top picture, and 'Blondie Goes Latin' as the second feature, the Fox is catching additional support for its scheme in the second week. While a western would not normally be a good matinee draw because of the preferences of women, the other picture adds compensation and this is more than balanced up by the soloing of the western at night when the men pour out. Matinees held up and the real strength came nights.

Saturday's business with 'Western Union' was $600 better than with 'Arizona,' $800 better than 'Hudson Bay,' $200 above 'Zoro' and $900 above 'Brigham Young.'

Idzal indicated that the policy, proven with both a strong femme picture and now with a male picture, would continue except on the weeks when both pictures were weak or there was a good second feature like 'Night Train,' which only lacked names, which would be slipped in to give the fans a bonanza bill now and then. 'The public will take two good ones when they won't take one good and a bad one,' he explained.

Seattle's Idea

Seattle, Feb. 18.

Playing to No. 1 picture of a dual at the 'better hour' is winning converts hereabouts, but nothing much has yet been done about it.

Frank H. Newman, president of Hamrick-Evergreen circuits, has an idea all his own and it is about to be tried at least in Spokane and smaller towns about the state. Except Fridays and Saturdays, his idea is to end the shows by 11 p.m., thus being a 'time saving' idea these defense and work days. It calls for the No. 1 pix starting at 9:10-9:20 p.m. and winding up the show so folks can go home early. In fact, the idea may be tried in Seattle, too. Spokane is also in the experimental stage.

Al Rosenberg, theatre mgr. for Evergreen, favors 9 or 9:30 p.m. start for the No. 1, and in his jurisdiction are Spokane, Wenatchee, Olympia and the medium-sized towns about the state. 'Double feature lovers can come early and see both; the singletons can go leisurely after dinner and get home early—by 11 p.m. or shortly thereafter,' he summarizes it.

In Tacoma the folks are not so choosey and they like to see both pictures, reports Fred Gamble, manager of the Lakewood theatre.

DET. CHAIN EXPANDING MICKEY MOUSE PARTIES

Detroit, Feb. 18.

Having tossed a nifty birthday party for Mickey Mouse—to attendant overflow crowds of small fry—United Detroit Theatres is repeating in its nabes with birthday party for Donald Duck. The gag threatens to go right on into Pluto the Pup, etc.

The stunt is featured for Saturday matinees. Basing the shows on the fact that an 'anniversary' has rolled around—Mickey Mouse has been on the screen for seven years—the theatres load up the bill with Mickey shorts. Then they set up a birthday cake in the lobby and an autograph book which the youngsters sign and which is sent to Mickey Mouse.

Admiral OK's Film

Philadelphia, Feb. 18.

A special screening of 'Flight Command,' which opens tomorrow (Wed.) at the Stanley, was held last week before the brass hats at the Philly Navy Yard.

Testimonial plugging the film was obtained from Admiral A. E. Watson, commandant of the yard.

Reason Enough

Miami, Feb. 18.

Universal is reputed to have spent $36,000 on the Miami Beach premiere of 'Back Street,' a pic whose only connection with that city occurs somewhere in reel five when one of stars observes:

'I wish we were in Miami right now.'

PAR'S SPECIAL BALLY DRIVE FOR 'LADY EVE'

Increasing the campaign budget to over average, Paramount plans special treatment for 'Lady Eve,' but is not seeking dates at increased admissions, it is stated.

Picture opens at the Paramount, N. Y., Feb. 26 and then goes into 10 selected keys March 14 with special campaigns laid out and field exploiteers assigned to get on top of the engagements. The following week (March 21) it goes into 20 additional cities, all of them also to be covered by Par exploitation men.

'Letter' Ad One of Best In 1940, Says Starch

Ad by Warner Bros. for Bette Davis in 'The Letter' rates as one of the top pieces of copy and art for the year 1940 in a report by Daniel Starch, advertising research outfit. Starch makes regular studies for advertising agencies on effectiveness of their insertions.

Particular ad cited by Starch appeared in the December Cosmopolitan mag and pictured Miss Davis against a bamboo screen. It contained only 52 words of copy, including the signature.

Par's Special Shorts Exploiter Under Morgan

Manny Reiner has been appointed to the Paramount short subject department to take charge of publicity, a post created as result of the consent decree and the added necessity for giving shorts special attention. He started Monday (17) under Oscar Morgan, who was recently installed as sales manager over shorts and newsreel.

Par had not had a shorts sales head for about 10 years.

Morgan also appointed Monroe R. Goodman, for several years associated with him in Paramount's southern division, as his assistant in the short features department. Goodman has been with Par for 11 years, much of it spent at the home office.

WEEKS' RODEO TIEUP

'Arizona' Filming in Tucson During Festivities

George Weeks will take advantage of the rodeo in Tucson, Ariz., starting Friday (21), to film one of the 'Range Buster' western series he makes for Monogram release and grab a flock of publicity for his troupe. Weeks is moving a crew to Tucson and will shoot the film in full view of the thousands of visitors who pour into the town for the festivities. 'Range Busters' themselves, Ray Corrigan, John King and Max Terhune, will also be grand marshals of the rodeo parade.

Film will be 'Tumbledown Ranch in Arizona' and is based on official rodeo song of the University of Arizona. It will include the 50 voices of the University glee club.

Corrigan's Personals

Charlotte, N. C., Feb. 18.

Ray (Crash) Corrigan and his troupe, touring Carolina theatres in connection with their pictures.

Radio Quiz as B.O. Hypo

As a means of hypoing business Tuesday nights, RKO is putting on a quiz broadcast that night at 9 p.m. for 30 minutes from the stage via WWRL, Woodside, L. I. The station puts on the quiz, getting people in the audience to participate.

Following experiment with the quiz broadcast several weeks now, Loew's is reported desirous of trying a similar stunt at its Valencia, Jamaica, L. I., not far away.

Loew's New England Managerial Shifts; Other Theatres-Exchanges

Boston, Feb. 18.

With the promotion of Edward McBride, manager of Loew's State, Providence, to Loew's State, Boston, succeeding Fred Greenway, who has been transferred from Loew's northeastern division to the Loew Poli division in Connecticut, Jack Simons of Loew's Poli, Hartford, has been promoted to manager of Loew's State, Providence. Lou Cohen, manager of the Palace, Hartford, moves up to Simons' place.

Other promotions in Loew's northeastern division include: James Tibbetts, from treasurer of Loew's Orpheum, Boston, to asst. manager of Loew's State, Boston, replacing Edmund Howard, resigned; Emil Wertelenyk, former assistant treasurer, promoted to Tibbetts' job at the Orpheum; and Tom Foley, chief of services at the State, Boston, succeeds Wertelnyk; Fred Lynn becomes chief of services at Loew's State, Boston.

Joe Ehrlich, formerly manager of the Gayety, Boston, is now handling publicity and exploitation for 'Fantasia' here at the Majestic.

Ehrlich succeeds Jack Goldstein, who handled the smash opening campaign and who now goes to Detroit and then to Washington for Walt Disney productions.

Drive Realizes $60,000

Philadelphia, Feb. 18.

Frank L. McNamee, ex-RKO exchange manager and director of the recent Infantile Paralysis campaign, reported that the drive netted $60,000, topping an all-time record and more than doubling the amount raised in 1940.

A. J. Vanni, in charge of out-of-town theatres for the Stanley-Warner circuit, now making his headquarters again in the home office. Other changes: Jack Mulhall, in charge of the Reading, Chester, Wilmington district; Mort Levine, Lancaster-York-Hanover district. The following were chosen city managers: Joe Murdock, Camden; Joe Bergen, Chester; Ray O'Connell, Lancaster; Lou Black, Wilmington, and Paul Harvey, York.

Ted Minsky now out-of-town booker at Vitagraph exchange.

Latest to join the colors along film row are Joe Forman, Warners; Al Holmsback, UA, and Maurice Rosen, son of Sam Rosen, Monogram exchange boss.

Cecil Felt, who was guest of honor at a 'farewell party' that fizzled because he was turned down by the draft board, gave a 'reciprocal party' to members of the Showmen's Club Thursday night.

Wilmer B. Huffman, replaces J. Lester Stallman as manager of S-W theatres in Reading. Stallman will manage the Astor in that town, which switches from S-W operation to that of Harry J. Schad. Warners will operate the State, Reading, as first-run house.

Benefit show at Fay's on Sunday to raise fund for widow of Jimmy Jones, bandleader at the house, who died two weeks ago.

Industry tosses a testimonial to Paramount's Earle Sweigert and Ulrik Smith at Hotel Warwick Feb. 21 in honor of their recent promotions.

Showmen Clubbers honored their past president at dinner last night (Mon.) at the Vine street clubhouse.

Arcadia getting refurbishing.

Keating to Seattle

Seattle, Feb. 18.

William Keating, recently with Public in Minneapolis, is more new blood brought into this burg by Sterling chain. He's new mgr. at Roosevelt, succeeding Mat Nighton, who becomes city manager at the Dallas, Oregon, for the two John Danz (Sterling) houses.

Joe Rosenfield, recently made operations mgr. for Sterling, formerly was with Public in Twin Cities and more recently with Evergreen as city mgr. in Spokane.

Stebbins' Gift

Detroit, Feb. 18.

In memory of his son, Richard, Walter R. Stebbins, owner of the Film Exchange building here, donated two new projectors to the Detroit Variety Club. The equipment will be used to extend the plentiful free shows which the club is providing here in the numerous orphanages, old folks' homes and hospitals.

Frankel's Main Line Chore

Pittsburgh, Feb. 18.

Milton Frankel, asst. booker in WB exchange, upped to sales post by branch manager Harry Seed. He'll take over Main Line territory, which has been without a representative since D. F. (Dinty) Doyle was elevated to the office managership some months ago. Joe Van Grilll, from advertising department, promoted to Frankel's booker's berth.

Woodies theatre in Apollo, Pa., purchased last fall from H. R. Wood by Joseph Cipriany, has been acquired under term lease by Louis Ponsetta, who also operates the Strand in Apollo. Ponsetta assumed operation of the Woodies last week and intends to run both spots. Wood, vet exhib, retired from the business following the sale of his house.

William E. Kane, son of the late John B. (Pop) Kane, has taken over the operation of his father's Nemo, in Pitcairn. The younger Kane, a school teacher, has been out of the exhibition field for several years, although he had formerly assisted the elder Kane, who did suddenly of a heart attack early last month. Roxy in Natrona is being operated by Mrs. Anna Neaman, widow of Samuel Neaman, who died several weeks ago. She's being assisted by a brother-in-law, Lou Padolf, one-time film salesman.

Crown Film Co., indie exchange managed by Max Shulgold, formerly with RKO and FN, has just secured the local franchise for distributing Select Pictures. Select, according to Shulgold, has announced 16 films for this season, first of which will be Leon Janney in 'Adolescence.'

The long-rumored new nabe in Crafton Heights will be a certainty within the next few months. According to reliable Film Row sources, construction on a 400-seat spot will get under way shortly, with Charles Philbrook backing the project. He's the former Sheraden exhibitor.

John Currie, who joined National Theatre Supply here five years ago, has returned to local branch as temporary manager, and will remain here until the ailing E. B. Morton is able to return to active duty. Physicians have ordered Morton to take long rest. A. F. Baldwin, of NTS's home office, has gone back to New York following Currie's assignment here.

Briefies: Bob Finkel, son of Southside exhib, has switched from Monogram to the RKO lot in Hollywood. An actor and graduate of Carnegie Tech drama school, he's learning the pix biz from ground up.... E. W. Smith resigned his managerial berth with Mervis Bros. circuit. Ditto I. L. Butler with Sam Gould theatres.... Alvin Seiler closed his Film Row theatre supply house and now operating again from his original headquarters in Greensburg, Pa.... C. J. Latta, assistant zone manager for WB here, vacationing in Hollywood with wife and daughter.

Yorke, Kupper's Swing

Gabe Yorke and Bill Kupper left Sunday (16) for the Coast to make a swing of far-western exchanges for 20th-Fox. Kupper here is western sales manager. Yorke, who has been in New York, a week, has just been placed in charge of promotion-exploitation for 20th on the Coast.

W. & V. Reopen One

Reading, Pa., Feb. 18.

The former Arcadia, reconstructed by Wilmer & Vincent, opened last week as the Ritz. Following this move the Warner State here closed down last week to undergo similar rebuilding. Otis B. Kyger managing the new Ritz. Police is first-run pictures.

'Kitty Foyle' Bally

RKO has appropriated $650 to be paid as prizes to winners of a 'Kitty Foyle' contest which is open to anyone who thinks they look like Ginger Rogers. The 19 RKO houses putting on the stunt are asking hopefuls to submit photographs of themselves to the managers. A number of girls in each theatre will be chosen to appear on the stage when the audience will decide who's most like Miss Rogers.

West, Ex-Screeno

George B. West, Monogram franchise holder who moved to the Coast several months ago, has disposed of his interests as eastern distributor of Screeno to Dave and Jack Dietz, latter known in the night film field. Mono franchises in which West is interested are those in St. Louis, Cincinnati and Kansas City.

Levine's Cleve. Operation

Marty Levine, associated with the Brandt circuit in New York, has taken over the Lake, Cleveland, from Warner Bros. as an operation of his own. Brandts do not figure in connection with the Lake in any manner but Levine remain with the chain.

In Cleveland last week, Levine took possession of the Lake and opened his aegis Friday (14) with 'The Virgin Bride.'

Lumpkin's Berth

Brownwood, Texas, Feb. 18.

Thurman Lumpkin named assistant manager of the Camp Bowie theatre here. He comes from the Palace, Fort Worth.

Rebuilding House

Villa Rica, Ga., Feb. 18.

Villa Rica theatre, destroyed by fire several weeks ago, is being rebuilt.

'Va.'-Spitalny Top Chi, $40,000; 'Frisco'-Armstrong $16,000, Vaude Helps 'Rangers' to 16G, 'Sierra' OK

Chicago, Feb. 18.

Two bands and a couple of pictures provide the box-office excitement of the current week around the loop. Phil Spitalny and his all-girl orchestra are doing plenty for the Chicago wicket along with the film 'Virginia,' while the Lou Armstrong band and colored unit is accounting for all of the good trade in the Oriental.

Other picture which is garnering money is 'High Sierra,' off to a bang-up start in the Roosevelt following a considerable ad spread.

Otherwise the loop is in a between-pictures situation. Palace is trying for one week with a combination of 'Buck Privates' and 'Play Girl.' Much was expected of the comedy, but evidently Abbott and Costello as a comedy team are not well enough known in these parts yet. However, the word-of-mouth on the piece is great, and the picture figures to build to a good money item in the subsequent run spots.

Apollo is currently closed for remodeling and arrangement for the opening of 'Fantasia' tomorrow (Wednesday). Disney organization has the house on a four-week deal.

Estimates for This Week

Apollo (Disney) (1,200; $1.10-$1.85)—'Fantasia' (Disney). Cartoon musical opens tomorrow (Wednesday). Has had tremendous ad campaign. Disney outfit operating house and picture.

Chicago (B&K) (4,000; 35-55-75)—'Virginia' (Par) and Phil Spitalny all-girl band on stage. Spitalny aggregation drawing the bulk of the customers, and the wicket is wagging to nifty $40,000. Last week with the holiday, 'Four Mothers' (WB) plus Andrews Sisters and the Gene Krupa band on stage, was a walloper at $46,200.

Garrick (B&K) (900; 35-55-85-75)—'Liberty' (M-G). Cavalcade film looking for $4,500, so-so mark. Last week, 'Thing Called Love' (Col) came up with okay $4,500.

Oriental (Jones) (3,200; 28-44)—'San Francisco Docks' (RKO) and Lou Armstrong orchestra unit on stage. On Armstrong's following, heading for happy $16,000. Last week, 'Hit Parade' (Rep) and 'Down Miami Way' unit got good $15,300. This is last week of Jones, Linick & Schaefer operation of the house, with Michael Todd going in this Friday (21) as managing director.

Palace (RKO) (2,500; 33-44-66)—'Buck Privates' (U) and 'Play Girl' (U). In for single week. Disappointing $10,000. 'Back Street' (U) due in this week as top-biller of double feature. Last week, 'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) completed five great weeks to $10,200.

Roosevelt (B&K) (1,500; 35-55-65-75)—'Sierra' (WB). Plenty of ad backing on this one. Looks for a bang-up $14,000 on initial waltz. Last week, 'Flight Command' (M-G) finished second session to mild $7,900.

State-Lake (B&K) (2,700; 28-44)—'Rangers Ride' (Par) and 'Stars Over Hollywood' unit on stage. Simone Simon headlining on show, and accounting for best box-office bet on the list. Heading to $16,000, fair enough. Last week, 'South Suez' (WB) and 'Screwballs' unit snagged ripping $21,200.

United Artists (B&K-M-G) (1,700; 35-55-65-75)—'Philadelphia' (M-G) (4th wk.). Starting to sag and ready to leave, but has had a beautiful stay of it, taking indicated $8,000 for current session after good $10,500 last week, 'Virginia' (Par), nine-day run, $8,500, swell.

Loew's Palace (Loew) (2,200; 10-33-44)—'Trial Mary Dugan' (M-G). High pressure promotion on Greek benefit opening a flopperoo balance of week. Doubtful that can exceed $2,600. Last week, 'Philadelphia Story' (M-G), second week, $3,600, fine.

Strand (Lightman) (1,000; 10-22-33)—'Tin Pan Alley' (20th) (2d run) and 'Long Voyage Home' (UA) (2d run), split. Ought to wangle fair-ish $1,600. Last week, 'Arkansas Judge' (Rep), three days; 'Where Get Girl' (U), two days; and 'In Old Colorado' (Par), two days; $1,500, slightly off.

'Back St.' 'Smith' Each $7,000 in Memphis

Memphis, Feb. 18.

'Back Street' is having it out with 'Mr. and Mrs. Smith' on Main Street this week, with indications that both will get nice coin.

Montgomery-Lombard comedy was just slightly in front of the 'Street' over the weekend, but Sullavan-Boyer remake is building rapidly. Former is at Loew's State, latter the New Malco.

Estimates for This Week

Loew's State (Loew) (2,600; 10-33-44)—'Smiths' (RKO). Rave notices and word-of-mouth aiding natural pull of unusual star combination for mighty nice $7,000. Last week, 'Gone' (M-G), third week, $3,300, okay.

Warner (Warner) (2,300; 10-33-44)—'Flight Destiny' (WB). No marquee names to help, this one will be lucky to garner $3,000 on strength of strong campaign. Last week, 'Strawberry Blond' (WB), $5,500, goodish.

New Malco (Lightman) (2,800; 10-33-44)—'Back Street' (U). Matinee femme jam has this one clocking mebbe $7,000, plenty good. Last

'Smith' $9,000 In L'ville; 'Cristo' 7G, 'Blonde' Big

Louisville, Feb. 18.

'Mr. and Mrs. Smith' at the Rialto is making the best showing currently, on a normal week. Pair of re-issues at the Strand are packing plenty of b.o. punch, while new pix at Loew's State are shaping up as fair.

'Strawberry Blonde' at the Mary Anderson is well on the okay side. Moveover of 'Back Street' to the Brown is continuing to bring okay biz.

Estimates for This Week

Brown (Loew's-Fourth Avenue) (1,400; 15-30-40)—'Back Street' (U) and 'La Zonga' (U). Holding up rather nicely after moveover from Rialto, and pacing for alright $1,600. Last week, 'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO), satisfactory $1,800.

Kentucky (Switow) (1,200; 15-25)—'Vigilantes' (U) and 'Find Out' (RKO). Pacing for average returns, probably $1,500. Last week, 'Arise Love' (Par) and 'Melody Ranch' (Rep), medium $1,400.

Loew's State (Loew's) (3,200; 15-30-40)—'Son Cristo' (UA) and 'Escape Glory' (Col). Appealing strongly to family trade, and should manage good enough $7,000. Last week, 'Gone' (M-G) (2d wk.), wound up its return engagement to satisfactory $10,000.

Mary Anderson (Libson) (1,000; 15-30-40) — 'Strawberry Blonde' (WB). Looks to be copping some pretty good attention, and should click for excellent $5,000. Last week, 'Flight Destiny' (WB), medium $3,300.

Rialto (Fourth Avenue) (3,400; 15-30-40)—'Mr. and Mrs. Smith' (RKO) and 'Play Girl' (RKO). Pacing the town for pleasing returns. Looks to round up fine $9,000. Last week, 'Back Street' (U) and 'La Zonga' (U), with swell exploitation, copped splendid $10,000, and moveover.

Strand (Fourth Avenue) (1,400; 15-30-40)—'Scarface' (UA) and 'Sky Devils' (UA) (re-issues). Oldies look to grab some real coin. Should have no trouble copping fine $4,000. Last week, 'Make Music' (RKO) and 'Little Men' (RKO), managed medium $2,800.

'Come Live' $8,500, Omaha Very Mild

Omaha, Feb. 18.

'Come Live with Me,' coupled with 'Dispatch from Reuters,' is topping the town in a very ordinary week, with a likely gross of no better than $8,500. Orpheum is garnering a light $8,000 with 'Victory.' Brandeis will do best proportionate gross with $6,000 for 'Santa Fe Trail' and 'Let's Make Music,' and it looks like a second week.

Estimates for This Week

Omaha (Tristates) (2,000; 10-30-40)—'Come Live' (M-G) and 'Reuters' (WB). Fair $8,500. Last week, 'Bagdad' (UA) and 'Bit of Heaven' (U), around $7,500, very light for this house.

Brandeis (Mort Singer) (1,500; 10-25-35-40) — 'Santa Fe' (WB) and 'Make Music' (RKO). Good enough $6,000 and probable holdover. Last week, 'Thing Called Love' (Col) and 'Escape Glory' (Col) (2d wk), fair $3,400.

Orpheum (Tristates) (3,000; 10-30-40)—'Victory' (Par) and 'Bank Dick' (U). Light $8,000. Last week, 'Vigilantes' (U) and 'Honeymoon Three' (WB), got a very light $8,400.

State (Goldberg) (900; 10-20-25)—'Westerner' (UA) and 'Nanette' (RKO), split with 'Petticoat Politics' (Rep), 'Argentine Nights' (U) and 'Kildare's Crisis' (M-G). Fair $800. Last week, 'Tin Pan Alley' (20th) and 'Bittersweet' (M-G) split with 'Our Town' (UA) and 'Slightly Tempted' (U), good $900.

Town (Goldberg) (900; 10-20-25)—'Men Texas' (Par), 'Congo Maisie' (M-G) and 'Yesterday's Heroes' (20th), triple, split with 'Colorado Sunset' (Rep), 'Tell No Tales' (M-G), and 'Northwest Mounted' (Par), single-featured, fair $900. Last week, 'Fugitive Prison Camp' (Col), 'Girl Ave. A' (20th) and 'Won't Talk' (Col), triple, split with 'Riding Avenger' (Cap), 'Zero Hour' (Rep) and 'Murder Sante Fe' (Rep); 'Name Only' (RKO), lively $900.

Avenue - Military - Dundee (Goldberg) (950; 300; 600; 25)—'Nanette' (RKO), 'Kildare's Crisis' (M-G) and 'Mummy's Hand' (U), split with 'Petticoat Politics' (Rep), 'Argentine Nights' (U) and 'Slightly Tempted' (U). Fair $1,000. Last week, 'Tin Pan Alley' (20th) and 'Bittersweet' (M-G), split with 'Our Town' (UA), 'Slightly Tempted' (U), strong $1,200.

First Runs on Broadway

(Subject to Change)

Week of Feb. 20

Astor—'Great Dictator' (UA) (19th wk.).

Broadway—'Fantasia' (Disney) (15th wk.).

Capitol—'Go West' (M-G).
(Reviewed in VARIETY, Dec. 18)

Criterion—'Maisie Was a Lady' (M-G (2d wk.).

Globe—'Night Train' (20th) (9th wk.).

Music Hall—'Mr. and Mrs. Smith' (RKO).
(Reviewed in VARIETY, Jan. 22)

Palace—'Six Lessons from Madame LaZonga' (U) (18).

Paramount—'You're the One' (Par) (19).
(Reviewed in VARIETY, Feb. 5)

Rialto—'Road Show' (UA) (18).
(Reviewed in VARIETY, Feb. 12)

Rivoli—'Back Street' (U) (2d wk.).

Roxy—'Tobacco Road' (20th).

Strand — 'Strawberry Blonde' (WB) (21).
(Reviewed in Current Issue)

Week of Feb. 27

Astor—'Great Dictator' (UA) (20th wk.).

Broadway—'Fantasia' (Disney) (16th wk.).

Capitol—'Come Live With Me' (M-G).
(Reviewed in VARIETY, Jan. 22)

Criterion—'Mad Doctor' (Par).

Globe—'Night Train' (20th) (10th wk.).

Music Hall—'So Ends Our Night' (UA).
(Reviewed in VARIETY, Jan. 29)

Paramount—'You're the One' (Par) (2d wk.).

Rialto—'Road Show' (UA) (2d wk.).

Rivoli—'Back Street' (U) (3d wk.).

Roxy—'Tobacco Road' (20th) (2d wk.).

Strand — 'Strawberry Blonde' (WB) (2d wk.).

'ARIZ.' $16,500, D. C. SNAPPY

Washington, Feb. 18.

Only two new bills this week, at town's two vaude spots. Newcomers are 'Arizona,' at the Earle,' which is beating 'Son of Monte Cristo,' at the Capitol, by a slight margin.

Second week of 'Philadelphia Story' at Palace is leading town. 'Back Street,' in third week at Keith's, is second strongest h.o. 'Gone,' which played three weeks of first pop-priced engagement at Palace, is rolling through second week at same scale at Columbia, Loew's second run hall.

Estimates for This Week

Capitol (Loew) (3,434; 28-39-44-66)—'Son Cristo' (UA) and vaude. Riding on popularity of its predecessors for passable $15,000. Last week, 'Road Show,' (UA), miserable $11,500.

Columbia (Loew) (1,234; 40-55)—'Gone' (M-G) (2d wk). Second week at second run house and fifth week of pop-priced run holding for house average, $4,500. Last week, good $5,500.

Earle (WB) (2,218; 28-39-44-68)—'Arizona' (Col) and vaude. Solid $16,500. Last week, 'Thing Called Love' (Col), strong $18,500.

Keith's (RKO) (1,830; 39-55)—'Back Street' (U) (3d wk). Holding for strong $9,500. Last week, walloping $17,000.

Met (WB) (1,600; 28-44)—'Virginia' (Par) (2d run). Back downtown after nice week at Earle, and will hit hefty $7,500. Last week, 'Victory' (Par), big $8,500.

Palace (Loew) (2,242; 39-55)—'Philadelphia' (M-G) (2d wk). H.o. leading town with big $17,500. Last week, sock $23,000.

Holiday Fails to Bolster B'way; 'Thing Called Love' Okay $80,000; 'Back St.' Big $35,000; 'Privates' 27G

(Best Exploitation: Rivoli)

Plenty of holdovers on Broadway this week and new entries are cutting no great swath. Net result is mild business in toto with Lincoln birthday holiday (12) helping only a few spots. Strongest of newcomers is 'Back Street' at the Rivoli where it is set for a long run. Picture was vastly helped by a slick advance campaign by the theatre, plus the special job by Universal.

'This Thing Called Love' is doing only routine business at the Music Hall, and goes out after one week for 'Mr. and Mrs. Smith' tomorrow (Thursday). It will be lucky to get $80,000.

'Western Union' held up nicely to $32,000 in second week at the Roxy, but makes way for 'Tobacco Road' tomorrow. Film adaptation of record-run stage play will operate around the clock the first two days. Plan is to keep grinding from 8 a.m., Thursday, until 1 a.m., Saturday, an uninterrupted total of 41 hours. Turnover for Thursday-Friday is expected to be 15 shows.

Surprise of street is the phenomenon of the State easily topping the Strand, the latter being in its second week. 'Buck Privates,' showing first run, and vaudeville including Belle Baker, Hal LeRoy and Herbie Kay's orchestra, likely will hit a solid $27,000 in contrast to less than $20,000 which is all 'Honeymoon for Three' got in its second stint at the Strand.

Paramount brings in 'You're the One,' aided by a stage show, for one week after grabbing a neat $38,000 in its third week of 'Virginia,' winding up last night.

'Gone' finished off its fourth and final week at the Capitol with $38,000, virtually the same as in the third stretch. 'Maisie' is proving a strong entry at the Criterion and holds a second week.

'Night Train,' at the Globe, is the surprise of the small grossers, getting $7,500 for its eighth week, about the same as the seventh, and sticks around a ninth.

Estimates for This Week

Astor (1,012; 75-85-$1.10-$1.65-$2.20)—'Dictator' (UA) (19th week). Last week (18th), $15,000, reasonable profit, after good $14,500 in previous week.

Broadway (1,895; 55-75-$1.10-$1.85-$2.20) — 'Fantasia' (Disney) (15th week). With extra weekend performances and slash in prices for youngsters, last week (14th) managed to hold to strong $25,000. Around $24,000 in previous stanza, an improvement over recent weeks.

Capitol (4,520; 40-55-85-$1.10-$1.25)—'Gone' (M-G) (4th week). Final week (4) likely will hit $38,000, same as previous week. 'Go West' (M-G) comes in tomorrow (Thurs.).

Criterion (1,685; 28-44-55-85)—'Maisie Was Lady' (M-G). Galloping to hefty $11,500, best in weeks here, and stays second starting today (Wednesday). Previous week, 'Life with Henry' (Par), light $5,500.

Globe (1,180; 28-35-55-85)—'Night Train' (20th) (8th week). Traveling along at $7,500 clip, about same as previous week. Goes a ninth week. Seventh speedy week was $7,800.

Palace (1,700; 20-35-55) — 'Kitty Foyle' (RKO) (2d run) and 'La Zonga' (U) (1st run). This combo opened yesterday (Tues.), and is set for 9 days. 'High Sierra' (WB) (2d run) and 'Father's Son' (WB) (1st run), meek $5,500 in six days. 'Tall, Dark' (20th) (2d run) and 'Four Mothers' (WB) (2d run), in ahead, fair $7,000 in six.

Paramount (3,684; 35-55-85-99)—'You're the One' (Par) plus Ella Fitzgerald band and Bob Howard. Opens today for single week. 'Virginia' (Par) and Glenn Miller band, stage show, nifty $38,000 third, final week, and $144,000 for three weeks, plenty profit.

Radio City Music Hall (5,960; 44-55-85-99-$1.65)—'Thing Called Love' (Col) and stage show. Okay $80,000 in sight, but makes way for 'Mr. and Mrs. Smith' (RKO) tomorrow (Thurs.). Last week, 'Arizona' (Col), fair $76,000.

Rialto (750; 28-44-55)—'Road Show' (UA) opened yesterday (Tues.). Last week, 'Devil Commands' (Col), poor $4,200 in six days. Ahead of that, 'Face Behind Mask' (Col), good $7,000.

Rivoli (2,092; 35-55-75-99)—'Back Street' (U). Racked up sterling $35,000 in opening stanza, aided by Tuesday night preem. Holding up well and in for indefinite stay. Final week of 'Kitty Foyle' (RKO), its fourth, okay $15,000.

Roxy (5,835; 35-55-65-75-85)—'Western Union' (20th) and stage show, OK $32,000 in offing for second week, satisfactory profit, after $50,000 in first week. 'Tobacco Road' (20th) opens tomorrow (Thurs.) morning at 8 o'clock.

State (3,400; 28-44-55-75-90-$1.10)—'Buck Privates' (U) (1st run) and vaude, headed by Belle Baker, Hal LeRoy, Herbie Kay band. All-round strong show getting $27,000, plenty of wampum. Last week, 'Flight Command' (M-G) and Johnny McGee, Eunice Healy, Diamond Bros., brisk $24,000.

Strand (2,767; 35-55-75-85-99)—'Honeymoon for Three' (WB) and Ray Noble. Less than $20,000, slim pickings even for second week. First lap, only $28,000, also disappointing. 'Strawberry Blonde' (WB) and Raymond Scott band starts Friday.

'RD.'-CALLOWAY $17,000, BUFF. STORMY

Buffalo, Feb. 18.

Blizzards are buffeting the box offices during the present semester after having knocked the peaks off last week's figures. Markers are showing declining tendencies with the final returns depending mostly on weather breaks.

'Road Show' and a fine Calloway stage show at the Buffalo are moving along nicely in the upper reaches, with 'Back Street' spinning the ticket rolls at the Lafayette.

Estimates for This Week

Buffalo (Shea) (3,500; 35-55)—'Road Show' (UA) and Cab Calloway on stage. Strong stage show will boost tally to nearly $17,000, very big. Last week, 'So Ends Night' (UA) and 'Maisie Lady' (M-G), whittled by weather to only fair $9,000.

Great Lakes (Shea) (3,000; 35-55)—'Son Cristo' (UA) and 'Blackout' (UA). Appears good enough at around $7,500. Last week, 'Gone' (M-G) (4th wk.), took dip on final stint to passable $7,500.

Hipp (Shea) (2,100; 30-45)—'So Ends Night' (UA) and 'Maisie Lady' (M-G) (2d run). Slow going. Around $5,000. Last week, 'Philadelphia' (M-G) and 'Wild Man Borneo' (M-G) (2d run) (2d wk.), over $6,000, not bad.

Lafayette (Hayman) (3,300; 30-40)—'Back Street' (U) and 'Meet Chump' (U). Will trap a very pretty $11,000. Last week, 'Vigilantes' (U) and 'LaZonga' (U), okay $6,700.

20th Century (Dipson) (3,000; 30-40)—'South Suez' (WB) and 'Remedy Riches' (RKO). Scraping bottom. Under $4,000. Last week, 'Mr. and Mrs. Smith' (RKO) and 'Saint Palm Springs' (RKO), pretty showing at $9,500, but prior commitments prevented holdover session.

'PHILLY' 13G, MONTREAL

'Chad'-'Profile' $6,500—'Thing' H. O. Okay $6,000

Montreal, Feb. 18.

Current grosses will be overshadowed by 'Philadelphia Story,' playing to turn-away biz at Loew's and sighting for a smash $13,000. 'Thing Called Love' repeats and is getting a good play with probable $8,000 ahead. 'Chad Hanna' at Capitol also in the money with nice $6,500.

Estimates for This Week

Palace (CT) (2,700; 25-45-55)—'Thing Called Love' (Col) (2d wk.). Good $6,000 after fine $8,500 last week.

Capitol (CT) (2,700; 25-45-55)—'Chad Hanna' (20th) and 'Great Profile' (20th). Sighting nice $6,500. Last week, 'Howards Virginia' (Col) and 'Blondie Cupid' (Col), fair $5,200.

Loew's (CT) (2,800; 30-40-60)—'Philadelphia' (M-G). Liable to hit near-record figures at $13,000. Last week, 'Hudson's Bay' (M-G) (2d wk.), fair $6,000.

Princess (CT) (2,300; 25-34-50)—'East River' (WB) and 'Always Bride' (WB). No better than $3,000 in sight. Last week, 'Hullabaloo' (M-G) and 'Kildare's Crisis' (M-G), weak $3,200.

Orpheum (Ind) (1,100; 25-40-50)—'Bank Dick' (U) and 'Give Us Wings' (U). Poor $2,200. Last week, 'Vigilantes' (U) and 'Sandy Man' (U), weak $2,000.

Cinema de Paris (France-Film) (600; 25-50)—'L'Homme de Niger' (2d wk.). Good $1,200 after very nice $1,700 last week.

St. Denis (France-Film) (2,300; 25-34)—'Tourbillon de Paris' and 'Roi des Gangsters.' Good $5,000. Last week 'Je t'Attendrai' and 'Bois Sacré,' good $5,000.

'Chad'-Vanities, Strong 15G, Mpls.; 'Thing' $9,000, 'Drums'-Vaude Slow

Minneapolis, Feb. 18.

With Earl Carroll's 'Vanities' on the stage and 'Chad Hanna' as its screen partner, the Orpheum still is setting the boxoffice pace and outdistancing the rest of the pack by a considerable distance here. Runner-up is 'This Thing Called Love,' State's straight film attraction. Below zero weather plus snow and sleet hurting business in last few days of week.

Fighting the Orpheum, but in what looks like a losing stage show battle, the Minnesota again has first-rate vaude entertainment topped by the Merry Macs. But it doesn't match the tough opposition, and as a result this de luxer is again in the doldrums.

Holdovers are 'Long Voyage Home' and 'Santa Fe Trail.' Another trail, 'Trail of the Vigilante,' looks like an also-ran.

Clyde McCoy and Louis Armstrong battle it out at the Orpheum and Minnesota, respectively, starting Friday (21), in another round of the stage show setup.

Estimates for This Week

Aster (Par-Singer) (900; 15-28)—'San Francisco Docks' (U) and 'Youth Served' (20th), dual first-runs. Satisfactory $1,000 indicated for five days. 'Lucky Devils' (U) and 'Where Get Girl,' also dual first-runs, open Tuesday (18). Last week, Romance Rio Grande' (20th) and 'Saint Palm Springs' (RKO), nice $1,200 in five days.

Century (Par-Singer) (1,600; 28-39-44)—'Santa Fe' (20th) (2d wk). Moved here from State. Looks like satisfactory $4,000. Last week, 'Philadelphia' (M-G) (3d wk), $4,100, fine after $17,100 initial fortnight.

Gopher (Par-Singer) (996; 28)—'Vigilantes' (U). Very well-liked picture and heading toward pretty good $3,000. Last week, 'Escape Glory' (Col), $2,800 in six days, satisfactory.

Minnesota (Middle States) (4,000; 28-39)—'Drums Desert' (Mono) and vaude, including Merry Macs. Entire show going over nicely, but turnstiles aren't clicking. Will have to stretch hard to reach unprofitable $4,500. Last week, 'Bowery Boy' (Rep) and Anita Louise and Jackie Heller headlining vaude, $5,000, light.

Orpheum (Par-Singer) (2,800; 28-44-55)—'Chad Hanna' (20th) and Earl Carroll's 'Vanities' on stage. Strongly fortified both on stage and screen. Should build to big $15,000, which still would be well under deserts. Last week, 'Flight Command' (M-G) and Kitty Carlisle, Ben Blue and Rufe Davis topping vaude, $11,500, good, but much less than attraction's quality merited.

State (Par-Singer) (2,300; 28-39-44)—'Thing Called Love' (Col). Plenty of praise for this one; appears headed for big $9,000. Last week, 'Santa Fe' (WB), $8,500, good.

Uptown (Par) (1,200; 28-39)—'Comrade X' (M-G). First neighborhood showing. Reaching for good $2,700. Last week, 'Love Neighbor' (M-G), first nabe showing, okay $2,400.

World (Par-Singer-Steffes) (350; 28-39-44-55)—'Long Voyage' (UA) (3d wk). Announced as last week. Looks like okay $1,500. Last week, $2,000, all right.

'GONE' WHAM $20,000, DENVER; 'VA.' $12,500

Denver, Feb. 18.

'Gone with the Wind' is packing the Orpheum four times daily for a walloping $20,000, and, of course, holds over. In the first five days the film played to 9,000 more patrons than during its previous showing here. Major problem of the theatre staff is to clear the house and reseat it between showings of the film, most of the customers trying to jam in at the very beginning of the pic.

'Virginia' likewise packing the Denham, which is counting on a beautiful $12,500, more than twice its normal gross. This one also holds for a second try.

Estimates for This Week

Aladdin (Fox) (1,400; 25-40)—'Chad Hanna' (20th) and 'Tall, Dark' (20th), after a week at the Denver. Fair $3,500. Last week, 'Hudson's Bay' (20th), after a week at the Denver, nice $4,500.

Broadway (Fox) (1,040; 25-35-40)—'Mr. and Mrs. Smith' (RKO) and 'Make Music' (RKO), after a week at the Orpheum. Around $2,800, okay. Last week, 'Philadelphia' (M-G), after two weeks at the Orpheum, good $3,000.

Denham (Cockrill) (1,750; 25-35-40)—'Virginia' (Par). Ringing up a beautiful $12,500 and holding. Last week, 'Hard-Boiled Canary' (Par), very poor $2,500.

Denver (Fox) (2,525; 25-35-40)—'Back Street' (U) and 'Meet Chump' (U). Good $10,500. Last week, 'Chad Hanna' (20th) and 'Tall, Dark' (20th), good $9,000.

Orpheum (RKO) (2,600; 25-40-50)—'Gone' (M-G). Smasho $20,000. Last week 'Mr. and Mrs. Smith' (RKO) and 'Maka Music' (RKO), nice $10,000.

Paramount (Fox) (2,200; 25-40)—'Buck Privates' (U) and 'Father's Son' (WB). Will make out between $5,000 and $6,000. Last week, 'Honeymoon Three' (WB) and 'Black Parrot' (WB), good $5,000.

Rialto (Fox) (878; 25-40)—'Hudson's Bay' (20th), after a week at each the Denver and Aladdin, and 'Pride Bowery' (Mono). Fair $2,000. Last week, 'Four Mothers' (WB), after a week at each the Denver and Aladdin, and 'Lucky Devils' (U), good $2,000.

'WU' 21G, 'GONE' $18,000 IN DETROIT

Detroit, Feb. 18.

Plenty of biz is making its way downtown this week with the five Detroit houses standing to whack up in the vicinity of $70,000 for the week. Two of the houses, Michigan and Fox, have come up with fresh bills. The United Artists, which will be way up there, has the return of 'Gone' and both the Palms-State and Adams have hold-overs which were still building when moved.

Fox, which has gone to a policy of single features at night, is showing early strength with 'Western Union' which for the matinee trade is coupled with 'Blondie Goes Latin.' Only challenge to its leadership is 'Gone,' getting a heavy play at the United Artists. Latter opens at 8 a.m. and has moved up the time for the price raises.

Michigan looks like it will only do comparatively fair with its teaming of 'High Sierra' and 'No, No, Nanette.' However, both of the switch-over houses, Adams which took over 'Back Street' from the Fox, and Palms-State with 'Kitty Foyle' from the Michigan, are in for big weeks on the continuation runs.

Wilson came back into the scene here today (18) when it started off 'Fantasia' at a premiere taken over by the Detroit Symphony Society at $5 a head. It starts its regular run on Wednesday with the week-day matinees at 75c and $1.10, and weekend matinees and nights at $1.10 and $1.65.

Estimates for This Week

Adams (Balaban) (1,700; 30-40-55)—'Back Street' (U) and 'Ride, Kelly' (20th). Former picture moved after good week at Fox and coupled with a new entry for a choice $7,000. Last week, 'Thing Called Love' (Col) and 'Night Train' (20th), bill moved intact from Fox, fair $5,500.

Fox (Fox-Michigan) (5,000; 30-40-55)—'Western Union' (20th) and 'Blondie Latin' (Col). House continues with its policy of soloing its chief picture nights, and looks for a hefty $21,000. Last week, 'Back Street' (U) and 'Youth Served' (20th), $18,000, okay.

Michigan (United Detroit) (4,000; 30-40-55)—'Sierra' (WB) and 'Nanette' (RKO). Moving toward so-so $16,500. Last week, 'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO), good $17,500.

Palms-State (United-Detroit) (3,000; 30-40-55)—'Kitty Foyle' (RKO) and 'Phantom Chinatown' (Mono). Former picture moved from Michigan while doing nicely, and expectations are choice $9,000. Last week, 'Here Comes Navy' (WB) (re-issue) and 'South Suez' (WB) (2d wk.), good $7,000 on top of big $10,000 for first week.

United Artists (United Detroit) (2,000; 40c to 4 p.m.; 55c evenings; 40c to noon Sundays)—'Gone' (M-G). House which had the earlier run is seeing great $18,000. Doors open at 8 a.m. Last week, 'Philadelphia' (M-G) and 'Maisie' (M-G) (5th wk.) wound up strong run with $6,000.

'Gone,' in Seattle Pop Repeat, Terrific $16,500

Seattle, Feb. 18.

'Gone With the Wind,' back for its first pop-priced run here, is great this week at Paramount, with prices slightly tilted. Top is 58c, when it might just as well have been 65c, which 'Boom Town' (M-G) got with ease.

'Gone,' together with 'Buck Privates' at Orpheum and 'This Thing,' at Liberty, are hogging most of the coin.

Estimates for This Week

Blue Mouse (Hamrick-Evergreen) (850; 30-40-50)—'Mr. and Mrs. Smith' (RKO) and 'Little Men' (RKO). Moveover from Paramount anticipates fair $2,400. Last week, 'Hudson's Bay' (20th) and 'Palm Springs' (RKO), dual, second week, good $2,700.

Coliseum (Hamrick-Evergreen) (1,900; 16-32)—'Thief Bagdad' (UA) and 'Trail of Vigilantes' (U) (2d run). Expect $3,100, fairly good. Last week, 'Go West' (M-G) and 'Long Voyage' (UA), (2d run) $3,200.

Fifth Avenue (Hamrick-Evergreen) (2,349; 30-40-50)—'Live with Me' (M-G) and 'Land Liberty' (M-G) (2d wk). Disappointing $3,500. Last week, $4,200.

Liberty (J-vH) (1,650; 30-40-50)—'Thing Called Love' (Col) (2d wk). Looking for $6,000, great, and h.o.s. Last week, $8,100, big.

Music Box (Hamrick-Evergreen) (850; 30-40-50)—'Philadelphia Story' (M-G) and 'Private Detective' (20th) (5th wk). Paced for $3,000, good. Last week, swell $3,600.

Orpheum (Hamrick-Evergreen) (2,600; 30-40-50)—'Buck Privates' (U) and 'Black Parrot' (WB). Comedy getting great $7,700. Last week, 'High Sierra' (WB) (2d wk), good $4,300.

Palomar (Sterling) (1,350; 20-50)—'Destiny' (WB) plus vaude. Anticipate big $6,000. Last week, 'Great Mr. Nobody' (WB) and 'Who Killed Aunt Maggie' (Rep), dual, plus vaude, $4,800, moderate.

Paramount (Hamrick-Evergreen) (3,039; 26-40-58)—'Gone' (M-G). First return showing here. Kiddie admish 26c matinees only. Getting magnificent $16,500. Last week (30-40-50), 'Mr. and Mrs. Smith' (RKO) and 'Little Men' (RKO), dual, big $6,100.

Roosevelt (Sterling) (800; 30-40-50)—'High Sierra' (WB). Reaching for big $3,500. Last week (16-32), 'Chad Hanna' (20th) and 'One Night in Tropics' (U), $2,000, fair.

Winter Garden (Sterling) (800; 16-30)—'No Time Comedy' (WB) and 'Here Comes Navy' (WB) (2d run). Expected $1,900, fair. Last week, 'Bitter Sweet' (M-G) and 'Young People' (20th) (2d run), $2,100, okay.

'Night' Sweet 13G, 'Privates' $9,000 On Big Bally, Prov.

Providence, Feb. 18.

(Best Exploitation: RKO Albee)

Better-than-average pic fare keeping main stem on bright side of the ledger. 'Buck Privates' at RKO Albee and 'So Ends Our Night' at Loew's State are getting nice grosses. 'Gone With the Wind' dropping off in fourth downtown week at Carlton. 'Western Union' a Majestic holdover.

RKO Albee went to town two weeks before opening of 'Buck Privates.' Attention-getters included sneak preview to which were invited the entire 6th Corps of the United States Army. Boys came down in convoy of 10 trucks, accompanied by officers of the State Selective Service Board. Preview was keyed with a 15-minute broadcast from the theatre lobby over station WPRO. Officers, mothers of draftees, and state and city officials were interviewed. Buck private was also planted in a downtown market window peeling potatoes. Ten pairs of tickets were offered to the 10 persons guessing closest the number of potatoes he would peel through the day.

Estimates for This Week

Albee (RKO) (2,200; 28-39-50)—'Buck Privates' (U) and 'Invisible Woman' (U). Doing bangup biz and headed for banner $9,000. Last week, 'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) (6th wk), nifty $5,500.

Carlton (Fay-Loew) (1,400; 28-40-55)—'Gone' (M-G) (4th downtown wk). Has about exhausted possibilities. Present stanza heading for okay $3,000.

Fay (Indie) (2,000; 25-35)—'Ride, Kelly' (20th) and vaude. Heading house toward swell $7,200. Last week, 'Golden Hoofs' (20th) and Deep River Boys heading stage show, good $6,500.

Majestic (Fay) (2,200; 28-39-50)—'Western Union' (20th) and 'Meet Chump' (U) (2d wk). Enjoying steady trade for nice $6,000 after nifty $10,000 in opening week.

State (Loew) (3,200; 28-40-50)—'Ends Our Night' (UA) and 'Maisie Lady' (M-G). Promising nice $13,000. Last week, 'Son Cristo' (UA) and 'Phantom Submarine' (Col), good $12,000.

Strand (Indie) (2,000; 28-40-50)—'Mad Doctor' (Par) and 'Barnyard Follies' (Par). So-so $5,000 expected. Last week, 'Henry' (Par) and 'Doomed Caravan' (Par), good $6,500.

'SENATE PAGE BOYS' STARTS

Hollywood, Feb. 18.

'Senate Page Boys,' in preparation for almost a year, went into production for Columbia release, with Charles R. Rogers producing, Alfred E Green directing.

Cast consists of 60 speaking parts, headed by Herbert Marshall and Virginia Bruce.

Frisco Rainy, But 'Gone,' 'WU,' And 'Smith'-Vaude Divide $60,000

'SIERRA' 2½G, LINCOLN; 'INVISIBLE' NICE $2,200

Lincoln, Neb., Feb. 18.

'Gone' h.o. is doing better on its second week than most films do on their first at the Stuart, the 14 days running to nearly $12,000, of which a third is due to the second stanza.

'Invisible Woman' is leading the Nebraska into fair money. 'High Sierra' is doing better than expected and 'Buck Privates' worse.

Estimates for This Week

Colonial (Monroe-Noble-Federer) (750; 10-15)—'Thundering Frontier' (Col) and 'Curtain Call' (RKO), split with 'Isle of Destiny' (Col) and 'Trailing Double Trouble' (RKO). Fair $800. Last week, 'Wildcat Tucson' (Col) and 'Two Thorobreds' (RKO), split with 'Rollin' Home' (Mono) and 'Millionaires Prison' (RKO), ditto.

Lincoln (J. H. Cooper-Par) (1,503; 10-25-40)—'Buck Privates' (U). Around $2,500, not good. Last week, 'Tall, Dark' (20th), got a mere $1,000 in five days, very poor.

Nebraska (J. H. Cooper-Par) (1,236; 10-20-25)—'Invisible Woman' (U) and 'Ride, Kelly' (20th). 'Woman' is making the date plenty worth while at these prices, $2,200. Last week, 'Maizie Lady' (M-G) and 'San Francisco Docks' (U), good $2,100.

Stuart (J. H. Cooper-Par) (1,884; 10-25-40-55)—'Gone' (M-G) (2d wk). Getting $3,700, well worth the hold. First week, $8,000, super.

Variety (Noble-Federer) (1,100; 10-20-25)—'Devil Commands' (Col) and 'Phantom Chinatown' (Mono), split with 'Make Music' (RKO) and 'Crooked Road' (Rep). Fair $1,800. Last week, 'Virginia City' (WB) and 'Phantom Sub' (Col), okay $2,100.

Varsity (Noble-Federer) (1,100; 10-25-40)—'Sierra' (WB). Surprising strength, probably due to the lack of heft elsewhere. Getting near $2,500, not bad. Last week, 'Mr. & Mrs. Smith' (RKO), did $3,800 in eight days, nice.

'Philly' Click 18G, 'Smith' $9,200 In Okay Kans. City

Kansas City, Feb. 18.

Large numbers are in store for the Midland and the Orpheum this week as 'Philadelphia Story' and 'Mr. and Mrs. Smith' register as the respective draws. Leadership is decided by capacity with the Midland having the advantage, but the smaller Orpheum is doing about all that can be expected of it, and is set to hold over its program. At this house the 'Smith' film is only the third different film of 1941, as 'Kitty Foyle' and 'Santa Fe Trail' both held three-week runs, and 'Smith' is in good position to follow suit.

'Back Street' is a holdover in the Fox-Midwest first runners, Esquire and Uptown, but is not following the pace it set in its first week. It moves out after six days, and 'Western Union' begins Wednesday.

Weather has been more than favorable over weekend.

Estimates for This Week

Esquire and Uptown (Fox-Midwest) (820 and 2,043; 10-28-44)—'Back Street' (U) (2d wk). Six days only, and $4,500 acceptable, but not up to expectations. First week was fine $8,500.

Midland (Loew's) (4,101; 10-28-44)—'Philadelphia' (M-G) and 'Maisie Lady' (M-G). Hepburn film given a sendoff by Jack Moffit, local crick, and living up to notices. At $18,000, a big week, even for this big house, and doubtlessly holds. Last week, 'Gone' (M-G) (3d wk), wound up with neat $10,000 at scale of 55-40-25c.

Newman (Paramount) (1,900; 10-28-44)—'Flight Destiny' (WB). Light $5,000. Last week, 'Honeymoon Three' (WB) got good play to $6,300.

Orpheum (RKO) (1,500; 10-28-44)—'Mr. and Mrs. Smith' (RKO) and 'Black Parrot' (WB). Brought in on Wednesday and giving okay account of itself. At $9,200 looks to be third extended-run film in here this year. Last week, 'Santa Fe' (WB) and 'Couldn't Say No' (WB) (3d wk) finally slacked off to $4,600 in six days, but still good.

Tower (Joffee) (2,110; 10-30)—'Make Music' (RKO) and vaude. Strong enough to get $6,800, good. Last week, 'Romance Rio Grande' (20th) with Clyde McCoy band on stage, rolled along to very good $8,500, one of the better weeks.

San Francisco, Feb. 18.

In spite of continued rains, three pictures are doing top biz this week on the main stem. Surrounding country is half under water. Biggies bringing in the coin, with all three running neck and neck, are 'Gone with the Wind,' returning to the Warfield theatre at pop prices; 'Western Union,' a natural for the big Fox, and 'Mr. and Mrs. Smith,' coupled with Salici's Puppets on the stage at the Gate.

Only other newcomer at the first runs is 'Son of Monte Cristo' at the United Artists.

Estimates for This Week

Fox (F-WC) (5,000; 35-40-50)—'Western Union' (20th) and 'You're the One' (Par). Will give a good account of itself at around $20,000. Technicolor treatment getting the play over the cast. Last week, 'High Sierra' (WB) and 'Ride, Kelly' (20th), wound up with $16,000.

Golden Gate (RKO) (2,850; 34-44-55)—'Mr. and Mrs. Smith' (RKO) and vaude. 'Smiths' has good stage support in 'Salici Puppets,' one of the big hits of the 1940 Golden Gate International Exposition. Manager George Boles beaming at the prospects of $20,000 in the till. Last week (3d), 'Kitty Foyle' (RKO) ended strong at $10,000.

Orpheum (F&M) (2,440; 35-40-50)—'Vigilantes' (U) and 'Invisible Woman' (U) (2d wk). Anticipated $7,000 justifies the holdover. Last week around $10,000.

Paramount (F-WC) (2,470; 35-40-50)—'Come Live' (M-G) and 'Mad Doctor' (Par) (2d wk). Second stanza rolling along nicely to around $9,000. Last week did a couple of grand better than originally tabbed, $14,000.

St. Francis (F-WC) (1,475; 35-40-50)—'High Sierra' (WB) and 'Ride, Kelly' (20th) (moveover). Will do the customary $5,000 on the switch of this combo from the Fox. Last week, 'Maisie Lady' (M-G) and 'Night Train' (20th) (moveover), $5,500.

United Artists (Cohen) (1,200; 35-40-50)—'Son Cristo' (UA). Not so forte at $8,500. Last week (2d), 'Long Voyage' (UA) drifted, ending with $5,000.

Warfield (F-WC) (2,680; 40-55)—'Gone' (M-G). Opened with smash biz. Line at the b.o. for first showing at 'pop' prices was almost a block long. Length of film will hold take down to around $20,000. Last week, 'Philadelphia' (M-G) and 'Jennie' (20th) (moveover) was sweet at $9,000. Pair played three weeks in all, two at the Fox and one at the Warfield.

'Philly' $17,000 In Balto; Edwards Ups 'Play Girl' to 12½G

Baltimore, Feb. 18.

Solid pace all around here. Big news of the week is 'Philadelphia Story' at Loew's Century, town-leader from the tee-off.

Extra-strong daytime business is adding to nocturnal trade and helping toward continued big takings of preceding three weeks of 'Gone With the Wind.' Also getting some healthy action is 'Play Girl,' leaning entirely on p.a. of Ralph Edwards and his 'Truth or Consequences' from radio. Rest of town all right.

'Night Train,' in the sure-seater Little, started a twelfth week with no signs of a let-up.

Estimates for This Week

Century (Loew's-UA) (3,000; 15-28-44)—'Philadelphia' (M-G). Hitting a resounding pace to lead the town with a great $17,000. Last week, third of 'Gone' (M-G), added a steady $12,200 to previous aggregate of $41,000.

Hippodrome (Rappaport) (2,205; 15-28-39-44-55-66)—'Play Girl' (Col). Leaning entirely on stage portion of Ralph Edwards and 'Truth or Consequence' from radio to whack out consistent $12,500. Last week 'Convoy' (RKO), plus Meroff's 'Funzafire' unit, held mild gait to $10,900.

Keith's (Schanberger) (2,406; 15-28-33-39-44)—'Back Street' (U) (2d wk). Holding up very nicely to indicated $8,000, after grabbing off a healthy $11,300 on the opening round.

New (Mechanic) (1,581; 15-28-35-44)—'Western Union' (20th). Satisfying $6,500 in this house of limited capacity. Last week, second of 'Maisie Lady' (M-G) added mild $3,800 to reach total of $8,600 for the run, not at all bad.

Stanley (WB) (3,280; 15-28-39-44-55)—'Flight Destiny' (WB). Trying hard with carefully-planned selling campaign, and possibly reaching $9,000. Last week 'Sierra' (WB) opened strong on week-end, but dropped off some during rest of week with $10,900 the final figure.

Philly Sugary; 'Honeymoon'-Davis $19,800, Disney 18½G, 'Thing' 18G

Philadelphia, Feb. 18.

'Fantasia' is having a happy baptism at the Aldine this sesh after its successful opening last Wednesday (12), in which the house was bought up by the Junior League. With the Disney opus setting the pace, all of the other heavy-hitting product is reporting snappy biz in the deluxer sector.

Among the newcomers that are in the groove are 'Thing Called Love' at the Fox and 'Convoy' at the Stanton. Still showing brilliant coin-snagging ability is 'Philadelphia Story,' subsequent-running at the Karlton, and fourth-sesh of 'Gone' 'Honeymoon for Three' and Johnny Davis' band combo at Earle also chalking up satisfactory biz.

Only weakie in the lot is 'Victory,' at the Boyd.

Estimates for This Week

Aldine (WB) (1,303; 66-$1.14-$1.71) —'Fantasia' (Disney). House has been leased by Disney, and playing at a two-a-day reserved seat policy. Mixed notices making fans curious, and setting a neat $18,500 figure for opening sesh. Last week house was dark for installation of Fantasound equipment.

Arcadia (Sablosky) (600; 35-46-57-68)—'Rebecca' (UA) (revival). Jam-up of product in first runs due to rash of holdovers forced playing of this one. Netting an okay $3,200. Last week, 'Love Neighbor' (Par) (2d run), $3,800.

Boyd (WB) (2,560; 35-46-57-68)—'Victory' (Par). Poor $11,200. Being pilled after one week. Cheer for Miss Bishop' preems Thursday (20). Last week, 'Philadelphia' (M-G) grabbed a hefty $15,000 for its fourth week, despite competish of Hepburn legiter playing here.

Earle (WB) (2,250; 35-46-57-68)—'Honeymoon Three' (WB) plus Johnny Davis orchestra on stage. Heading for a satisfactory $19,800. Not in same class ,however, with the zingy $28,500 posted by 'La Zonga' (U) and Sammy Kaye outfit last month.

Fox (WB) (2,423; 35-46-57-68)—'Thing Called Love' (Col). Fine $18,-000. Last week, 'Sierra' (WB) grabbed profitable $13,400 for holdover.

Karlton (WB) (1,066; 35-46-57-68)—'Philadelphia' (M-G) (2d run). Moved out of Boyd after four weeks to ease product bottleneck. Still riding high with $7,200, believed to be a house record here. Last week, first run of 'Little Men' (RKO) set up a mediocre $3,800.

Keith's (WB) (1,970; 35-46-57-68)—'Sierra' (WB) (2d run). Just missing par with $4,000. Last week, second run of 'Hudson's Bay' (20th) likewise disappointing $3,600.

Stanley (WB) (2,916; 35-46-57-68) —'Gone' (M-G) (4th wk). Could have run indefinitely, but was causing film pile-up. Racked up fine $16,700 this trip, after super $21,500 for third sesh. 'Flight Command' (M-G) bows tomorrow (Wed.).

Stanton (WB) (1,457; 35-46-57)—'Convoy' (RKO). War theme arousing interest. Looks like bright $5,-800. Last week, 'Frisco Docks' (U), better $6,000.

'PHILLY' 2D 8G, PORT.; 'HONEYMOON' OK $5,300

Portland, Ore., Feb. 18.

Most houses holding strong product, with 'Philadelphia Story' leading the field at the Broadway. 'Kitty Foyle' putting up a fair h.o. at the Paramount.

'Honeymoon for Three' at the Orpheum and 'Strawberry Blonde' at the UA sharing honors as the only new openers.

Estimates for This Week

Broadway (Parker) (2,000; 35-40-50)—'Philadelphia' (M-G). Single-billed and going over for a second week to great $8,000. First week a bonanza, $12,000.

Mayfair (Parker-Evergreen) (1,-800; 35-40-50)—'Back Street' (U) and 'La Zonga' (U). Moved from the UA for a second week, and doing nice $3,000. Last week, 'Come Live' (M-G) and 'Maisie Lady' (M-G), good $2,900.

Orpheum (Hamrick-Evergreen) (1,800; 35-40-50)—'Honeymoon Three' (WB) and 'Little Men' (RKO), okay $5,300. Last week, 'Tall, Dark' (20th) and 'Night Train' (20th), with vaude, collected a better than average $5,-500.

Paramount (Hamrick-Evergreen) (3,000; 35-40-50)—'Kitty Foyle' (RKO) and 'Too Many Girls' (RKO) (2d wk). Fair $4,700, but not up to expectations. First week clicked for strong $8,500.

United Artists (Parker) (1,000; 35-40-50)—'Strawberry Blonde' (WB) and 'East River' (WB). Big $5,000. Last week, 'Back Street' (U) single-billed to fair $3,800 and moved to the Mayfair.

Key City Grosses

Estimated Total Gross
This Week $1,894,700
(Based on 25 cities, 173 theatres, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year $2,034,400
(Based on 25 cities, 176 theatres)

'HUDSON' LEADS OKAY HUB, $20,000

Boston, Feb. 18.

'Hudson's Bay' is the standout here, with possible holdover in view for it at the Memorial. 'Thing Called Love' is being held for five extra days at the Orpheum and State after fancy figures last week.

'Fantasia' continues to hold up to near-capacity in its fourth week. New promotional gag is to sell a block of about 500 seats to Dartmouth students and run 'em down on a special excursion train March 1st. Up north the railroads are cooperating by taking 'Fantasia' reservations, along with rail reservations. Phone orders have already been placed from more than 100 miles from Boston.

Estimates for This Week

Boston (RKO) (3,200; 28-33-44-55) —'Dead Man's Shoes' (Mono) and 'Ridin Rainbow' (Rep), with stage show, four days; and 'Arizona' (Col) and 'Angels Broadway' (Col) (both 2d run), three days. Heading for fair $8,500. Last week, 'Remedy Riches' (RKO) and 'Caught in Act' (Prod.) with Bill Bardo band 'on stage, four days; and 'Army Girl' (Rep) (re-issue) and 'Blondie Cupid' (Col) (2d run), three days, $7,300.

Fenway (M&P) (1,332; 28-39-44-55)—'Mad Doctor' (Par) and 'Jennie' (20th). Getting fair attention toward $4,500. Last week 'You're the One' (Par) and 'Lone Wolf Date' (Col), okay $5,000.

Keith Memorial (RKO) (2,907; 28-39-44-55)—'Hudson's Bay' (20th) and 'Invisible Woman' (U). Grabbing off hefty coin at $20,000 gait and holds. Last week 'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) (6th wk), six days, took dandy $12,000.

Majestic (Shubert) (1,014; 75-$1.10-$1.65)—'Fantasia' (Disney) (4th wk.). Shows no slackening of power. Aiming at socko $14,000. Third week, very big $14,400.

Orpheum (Loew) (2,900; 28-39-44-55)—'Thing Called Love' (Col) and 'Nobody's Children' (Col), holdover for five days. Will take about $12,-000, okay. Last week, same combo turned in nifty $18,700. 'Philadelphia Story' opens here Thursday (20).

Paramount (M&P (1,797; 28-39-44-55)—'Mad Doctor' (Par) and 'Jennie' (20th). Running to so-so $6,000. Last week, 'You're the One' (Par) and 'Lone Wolf Date' (Col), $7,000.

Scollay (M&P) (2,538; 28-39-44-50) 'Victory' (Par) and 'Henry' (Par) (both 2d run). Skidding to $3,500. Last week 'Go West' (M-G) and 'Chad Hanna' (20th) (both 2d run), $4,500, okay.

State (Loew) (3,600; 28-39-44-55) —'Thing Called Love' (Col) and 'Nobody's Children' (Col). About $9,000 in five days, satisfactory. Last week, same duo tallied big $14,900.

EDDIE FOY, JR., COMIC TOPS IN REP'S 'ROOKIES'

Hollywood, Feb. 18.

Joseph Santley starts directing 'Rookies Parade' after finishing 'Sis Hopkins' at Republic.

Eddie Foy, Jr., has the comedy lead.

Back to Scenarizing

Hollywood, Feb. 18.

Frances Marion, after almost a year of absence from film writing, signed to convert the novel, 'Strange Victory,' into a screenplay to be produced by Sol Lesser.

Since her last picture job, she has been working on a novel for publication by Harpers.

'PHILLY' 23G, B'KLYN 'Virginia' $17,000 — 'Kitty' H.O. Strong $16,000

Brooklyn, Feb. 18.

Booming box office for 'Philadelphia Story' and 'Gallant Sons' at Loew's Metropolitan this session. Trailing is RKO Albee with 'Kitty Foyle' and 'Saint Palm Springs,' second week. Fabian Paramount's second week of 'High Sierra' and 'Night at Earl Carroll's' will result in satisfactory figure.

Estimates for This Week

Albee (RKO) (3,274; 25-35-50) — 'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) (2d wk). Headed for good $16,000. Last week, nifty $19,000.

Fox (Fabian) (4,039; 25-35-50) — 'Virginia' (Par) and 'Blackout' (UA). Okay $17,000. Last week, 'Texas Rangers' (Par) and 'Second Chorus' (Par) (2d wk), satisfactory $14,000.

Met (Loew's) (3,618; 25-35-50) — 'Philadelphia' (M-G) and 'Gallant Sons' (M-G). Mopping up with splendid $23,000. Last week, 'Flight Command' (M-G) and 'Haunted Honeymoon' (M-G), good $15,000.

Paramount (Fabian) (4,126; 25-35-50)—'Sierra' (WB) and 'Earl Carroll's' (Par) (2d wk). Pleasant $15,000. Last week, strong $20,000.

Strand (WB) (2,070; 25-35-40) — 'Phantom Submarine' (Col) and 'Married Adventure' (Col). Hefty $5,000. Last week, 'Ellery Queen' (Col) and 'Caught in Act' (PRC), good $5,000.

'PHILLY' $12,000, INDIANAPOLIS

Indianapolis, Feb. 18.

'Philadelphia Story,' at Loew's, dualled with 'Gallant Sons,' is the big noise in town this week, leading other houses in the downtown sector by a good four lengths. Heavy turnout has the pic headed for a definite holdover. Second money goes to the Indiana where 'Western Union' and 'Golden Hoofs' are rolling up strong night and week-end biz, with matinees off.

Circle languishes dualling 'You're the One' and 'Little Men.' Lyric is being helped by 'Tall, Dark, and Handsome' on screen, but stage show is light.

Estimates for This Week

Circle (Katz-Dolle) (2,600; 25-30-40)—'You're the One' (RKO) and 'Little Men' (RKO). Poor $5,200. Last week, 'Invisible Woman' (U) and 'Nanette' (RKO), puny $5,400.

Indiana (Katz-Dolle) (3,100; 25-30-40)—'Western Union' (20th) and 'Golden Hoofs' (20th). Good $9,000. Last week, 'Back Street' (U) and 'La Zonga' (U), picked up after weak opening to finish with okay $8,200.

Loew's (Loew's) (2,400; 25-30-40)—'Philadelphia' (M-G) and 'Gallant Sons' (Col). Big $12,000. Last week, 'Gone' (M-G) in second week at 40c-55c, very good $12,000.

Lyric (Lyric) (1,900; 25-30-40)—'Tall, Dark' (20th) and vaude. Not-so-good $6,500. Last week, 'Honeymoon Three' (WB) and 'Stars Over Hollywood' on stage, okay $9,000.

L. A. Spotty; 'Va.'-Bob Crosby $18,000, 'Smiths' $27,500, 'WU' $22,200, 'Blonde' Surprise $17,300

Broadway Grosses

Estimated Total Gross
This Week $338,700
(Based on 13 theatres)
Total Gross Same Week
Last Year $379,200
(Based on 13 theatres)

'WU' PACING OK CINCY AT $12,000

Cincinnati, Feb. 18.

Grosses are bulging a trifle over last week. Mild weather was a booster in first half.

Ace coiner currently is 'Western Union' with a good Albee figure. Palace has an alrightly in 'Come Live With Me,' and the Grand is doing okay on 'Land of Liberty.'

Combo Shubert's showing is so-so for 'Tugboat Annie Sails Again' and the 'Folies Bergere' revue.

Estimates for This Week

Albee (RKO) (3,300; 33-40-50)—'Western Union' (20th). Good $12,-000. Last week, 'Back Street' (U), perked in last half to hit a big $15,-000.

Capitol (RKO) (2,000; 33-40-50)—'Back Street' (U). Transferred from Albee for second week. Dandy $5,-500. Last week, 'Mr. and Mrs. Smith' (RKO) (2d run), fair $4,500.

Family (RKO) (1,000; 15-28)—'Li'l Abner' (RKO) and 'Murder New York' (20th), split with 'Devil's Pipeline' (U) and 'Lone Rider' (Ind). Normal $2,100. Same last week for 'Girls 21' (Col) and 'Friendly Neighbors' (Rep), divided with 'Behind News' (Rep) and 'Black Parrot' (WB).

Grand (RKO) (1,430; 33-40-50)—'Liberty' (M-G). Blurbed with notices in schools. Okay $4,000. Last week, 'Four Mothers' (WB), fair $4,000.

Keith's (Libson) (1,500; 33-40-50) —'Sierra' (WB). Moveover from Palace for second week. Dull $3,-500. Last week, 'Tall, Dark' (20th), pitiful $2,500.

Lyric (RKO) (1,400; 33-40-50)—'Mr. and Mrs. Smith' (RKO). Third week on front line. Fair $3,500. Last week, 'Honeymoon Three' (WB) (2d run), sorry $2,000.

Palace (RKO) (2,600; 33-40-50)—'Come Live' (M-G). Alright $10,-000. Last week, 'Sierra' (WB), disappointing $9,000.

Shubert (RKO) (2,150; 33-44-60) —'Tugboat Annie' (WB) and 'Folies Bergere' revue. Nice notices on stage show, pulling $14,000, which is above theatre's average, yet no shakes due to revue's heavy cost. Last week, 'Play Girl' (RKO) and Milt Britton's band heading vaude, hotsy $14,000.

Key City Grosses

Estimated Total Gross
This Week $1,894,700
(Based on 25 cities, 173 theatres, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year $2,034,400
(Based on 25 cities, 176 theatres)

'WU' PACING OK CINCY AT $12,000

Cincinnati, Feb. 18.

Grosses are bulging a trifle over last week. Mild weather was a booster in first half.

Ace coiner currently is 'Western Union' with a good Albee figure. Palace has an alrightly in 'Come Live With Me,' and the Grand is doing okay on 'Land of Liberty.'

Combo Shubert's showing is so-so for 'Tugboat Annie Sails Again' and the 'Folies Bergere' revue.

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'Kitty' $18,500, Pitt. Forte

'WU' $8,700 — 'Back St.' Swell 8G on Femme Support — 'Smith' Weak

Pittsburgh, Feb. 18.
(Best Exploitation: Fulton).

Neither rain, sleet, storm, etc., can keep the dames away from the downtown wickets this week. There are a couple of typical femme pix around in 'Kitty Foyle' at Penn and 'Back Street' at Fulton and they're top biz, blizzards and snow notwithstanding. 'Street' sticks for sure, and 'Kitty' may; if not it'll move to Warner for the h.o.

Hess-opery bugs also have one up their alley in 'Western Union' at Senator, and it's running up another sock gross for this spot, which looks for at least three weeks out of the deluxe western. Only real disappointment of the session is 'Mr. and Mrs. Smith' at the Stanley, which crix thumbed down and public is dittoing. In fact, third week of 'Philadelphia Story' at Warner, following fortnight at Penn, is topping it. 'Gone' still going strong, too, on move-over to Ritz for its fifth week downtown.

Lot of tie-ups for Fulton's 'Back Street' with stores, book-shops, etc., added to reams of free copy on Miami junket, resulted in biggest opening day more than three years. They were lined up for a block at getaway.

Estimates for This Week

Fulton (Shea) (1,750; 25-40)—'Back Street' (U). Started to peter out over weekend, result of so-so notices and ditto word-of-mouth, but will still knock off better than $8,000, great here. Holds over, with house going dark Feb. 25 for a week to permit installation of equipment for 'Fantasia,' which opens March 5. Last week, 'Keeping Company' (M-G) and 'Liberty,' poor $2,800.

Penn (Loew's-UA) (3,300; 25-35-50)—'Kitty Foyle' (RKO). Fine $18,-500, with outside chance of hitting above that. Product jam only thing that will hold this one from a second round here. In event it doesn't stick, Warner gets 'Kitty' for the h.o. last week, 'Philadelphia' (M-G) (2d wk), great $16,500.

Ritz (WB) (800; 40-55)—'Gone' (5th wk) downtown. Winding up here after fortnight, first at Penn and then Warner. Should be close to $3,000, excellent. Last week, 'Make Music' (RKO) and 'Convoy' (RKO), out of running at $1,700.

Senator (Harris) (1,700; 25-35-50)—'Western Union' (20th). Falling off somewhat after four great getaway days, but not enough to stop $8,700 at least. That's very good

Broadway Grosses

Estimated Total Gross
This Week $338,700
(Based on 13 theatres)
Total Gross Same Week
Last Year $379,200
(Based on 13 theatres)

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Los Angeles, Feb. 18.

Another one of those spotty weeks, with some of the first runs hitting on high and others not faring so well. Steady downpour through Saturday and Sunday helped some houses while hurting others. Paramount is again in front with top individual gross, much of which must be credited to presence of Bob Crosby orch on stage. At the Orpheum, where George Jessel and Lola Andrews are topping the stage unit, biz is around $11,000, not too forte.

'Fantasia' continues on road-show policy at the Carthay Circle, where third week will be only slightly behind second stanza. 'Western Union' is bringing State and Chinese fair returns, while 'Mr. and Mrs. Smith' is heading the RKO and Pantages to lucrative results.

Estimates for This Week

Carthay Circle (F-WC) (1,516; 55-83-$1.10-$1.65)—'Fantasia' (Disney) (3d wk). Headed for another sweet $14,000 after second stanza just hit $15,000.

Chinese (Grauman-F-WC) (2,034; 30-44-55-75)—'Western Union' (20th) and 'Ride, Kelly' (20th). Opened strong but eased off, so best in sight around $9,200. Last week, 'Tall, Dark' (20th) and 'Company' (M-G), weak $5,500 on six days. (House dark Saturday because of Greek war relief benefit that night.)

Downtown (WB) (1,800; 30-44-55) —'Strawberry Blonde' (WB) and 'Father's Son' (WB). Good $8,900, and holds. Last week, 'Road Show' (UA) and 'Behind News' (Rep), poor $5,900.

Four Star (UA-F-WC) (900; 30-44-55)—'Cheers Bishop' (UA) (5th-final wk). Poor $1,400 on six-day closing mesh, fourth stanza about $2,500. 'Wind' opens (19) for pop-priced run, day-dating with United Artists.

Hawaii (G&S) (1,100; 30-44)—'Rebecca' (UA) (revival) and 'Challenge' (PA). Heading for nice $2,800 and holding. Last week, classical music films.

Hollywood (WB) (2,756; 30-44-55) —'Strawberry Blonde' (WB) and 'Father's Son' (WB). Good $8,400 and h.o. Last week, 'Road Show' (UA) and 'Behind News' (Rep), weak $5,400.

Orpheum (B'way) (2,200; 30-44-55) —'Street Memories' (20th) and stage show headed by Jessel and Lola Andrews. Weak $11,000. Last week, 'Third Floor' (RKO) and 'First Romance' (Mono), satisfactory $7,800.

Pantages (Pan) (2,812; 30-44-55)— 'Mr. and Mrs. Smith' (RKO) and 'Lone Wolf Date' (Col). Very good $15,000, meriting a second try. Running considerably ahead of the RKO, the day-dater. Last week, 'Thing Called Love' (Col) (2d wk) and 'West Chump' (U), very good $8,700.

Paramount (Par) (3,595; 30-44-55-75)—'Virginia' (Par) and Bob Crosby orchestra on stage. Combination of screen and stage heading house for neat $18,000. Will get a second week. Last week, 'Mad Doctor' (Par) and 'Monster Girl' (Par) with spook show, very excellent $17,000.

RKO (RKO) (2,872; 30-44-55)— 'Mr. and Mrs. Smith' (RKO) and 'Lone Wolf Date' (Col). Big $12,500. Holds. Last week, 'Thing Called Love' (Col) (2d wk) and 'San Francisco Docks' (U), very good $8,800.

State (Loew-F-WC) (2,404; 30-44-55-75)—'Western Union' (20th) and 'Ride, Kelly' (20th). Will probably wind up with satisfactory $13,000. Last week, 'Tall, Dark' (20th) and 'Company' (M-G), dismal $8,200.

United Artists (Parr-WC) (2,100; 30-44-55)—'Tall, Dark' (20th) (moveover) and 'Girl News' (20th). Adding new second feature failed to help, and very poor $1,300 in sight. Last week, 'Come Live' (M-G) and 'Liberty' (M-G), poor $2,200.

Wilshire (F-WC) (2,296; 30-44-55) —'Tall, Dark' (20th) and 'Girl News' (20th). Very bad $3,200. Last week, 'Come Live' (M-G) and 'Liberty' (M-G), topped $4,500.

and makes a h.o. certain. Last week, 'Thing Called Love' (Col) (4th wk), fine at $4,500, making around $30,000 for the run.

Stanley (WB) (3,600; 25-35-50)— 'Mr. and Mrs. Smith' (RKO). Poor biz can be attributed to two things, picture itself, which got bad notices, and fact that house is too well established as a vaude spot to get by on anything less. Will be lucky to snare $9,300, which is bad here. Last week, 'Son Cristo' (UA) and La Conga Revue, fine $17,000.

Warner (WB) (2,000; 25-35-50)— 'Philadelphia' (M-G). Here after two weeks at Penn, and going great guns. Grabbed around a grand opening day without any advance publicity at all, and did a land-office biz over weekend. Should better $9,000, a whopping figure here. Last week, 'Gone' (M-G) (4th wk), all-right at $5,800.

WHEN ONE SHOWMAN MEETS ANOTHER!

Here's looking at you, Joe!
Down the hatch, Ben!
Ah . . . h . . . h!
Um . . . m . . . m! (*Two of the same, please.*)
How's tricks?
That's easy . . . I've got M-G-M!
Lucky you, Joe!
Don't I know it, Ben!
They're pretty HOT right now.
Never better, I'm doing okay.
What are you playing Washington's Birthday?
I've got "Andy Hardy's Private Secretary."
I suppose they claim it's the best Hardy yet!
They generally do—and they generally *are!*
I hear this "Trial of Mary Dugan" is something!
They say it's a sleeper. I'll screen it and see.

(Have another, Joe?
Don't mind if I do, Ben!)

It's amazing how that M-G-M crowd keep it up.
Well, that's an old story.
But when you think of just the past few weeks—
Yes, its been a merry-go-round since Christmas!
"Comrade X" and "Flight Command," for instance?
"Philadelphia Story," "Come Live With Me" too.

How does the Spring stuff look, Joe?
On paper March and April look terrific!
And they'll probably look colossal on the screen!
Wally Beery's "Bad Man" for instance, to start.
And "Ziegfeld Girl"—I hear it's the last word!
The reports say it's better than "Great Ziegfeld"!

(Fill 'em up please!
Happy days!)

Who's in it, Joe?
Jimmy Stewart, Garland, Lamarr, Lana Turner.
Oh boy!
And just about 50 others! And the songs are great!
I'll bet it's an eyeful!
Sure, and just when you think they can't top it—
You mean a *bigger* show?
I think "Men of Boys Town" will top 'em all!
Tracy and Rooney again?
Exactly! Reliable sources tell me it's sensational!
Gosh, y' gotta hand it to that outfit!
Greatest in the history of show business!
And Friendly!
You said it!

(One more, Ben?
Okay Joe, nightcap.)

Spain Stresses S. American Blood Ties In Pic Invasion to Eclipse U.S. Foothold

Buenos Aires, Feb. 18.

Working quietly, agents for Madrid producing outfits have been sizing up South American film markets with a view toward placing pictures frankly designed to propagandize the 'new order' of General Francisco Franco and his Falangist (Fascist) Party.

While nothing definite has been set so far, steps are part of a widespread propaganda drive by Madrid designed to emphasize the theme that 'blood is thicker than Pan-Americanism' and that 'Spain, the Mother Country, represents the true friend of Latin-America.'

Keeping to that thesis, Falangists—of whom Madrid claims there are more in South America than in Spain—have been hitting at the Yanks, insisting that the U. S. has 'imperialist aims' on this continent while Spain has nothing but a desire for 'intelligence and love.' Same idea is to be stressed in pix, according to exhibs who have been approached by agents. Films are to emphasize that Spain and the New World are 'spiritually and culturally related' and that the close ties with Latin-America are 'based on more than language, but on religion and a common literature, art and heritage.'

Eyeing Market for Some Time

Been known for some time that Spain has been eyeing the Latin market, especially positions formerly held by Germany and Italy. And there's no doubt in the minds of observers that Hitler's pressure boys have been at least partially behind the push. Because there is a similarity of interests between Spain and Spanish-speaking countries of South America, it's figured that Franco's propaganda performers can get across in ways and places closed to the Nazis and Fascists.

Constantly repeated in the pro-Franco press is the idea that Uncle Sam and his 'propaganda factory in Hollywood' are out to do Latin-America no good and the Yanquis don't really understand the Latin point of view, but are merely interested in cash. Although amount of Spanish product that's been shipped here is small, claim is that between 50 and 60 pix will be ground out in Barcelona and Madrid during the coming season and this will give a steady flow of features, most of them 'suitable' for Latin America's 85,000,000 population.

Aside from the propaganda value, which diplomatic observers feel is probably less Franco's idea than that of his Axis big brothers, Spain is known to want the Latin market—or as much as she can get—to help pay for her production. Home population is about 23,000,000 and hope is that if sufficient market can be set here profits should be good.

Exhibs who've expressed fears the Spanish product would hardly be worth the trouble of showing have been told that Madrid realizes audiences here are accustomed to a high-type Hollywood job and that Spain expects to turn out something just as good, if not better, both from a production and story point of view. Besides, they add, it will be real Spanish, not sub-titles.

Think Drive Will Flop

Many here, however, think the drive will flop even before it gets started, pointing out that Franco's recent propaganda attempts in other directions have laid an egg. One such was a drive against establishment of U. S. military and air bases in S. A. Uruguay got so sore at this that she had her minister tell Madrid in effect, to keep her nose out.

Another recent gag was the formation of the Hispanidad Council, which roped a number of prominent Latins into lending their names until they found out what was what and who was behind it. Other groups, like the recently revived Instituto Americano, work on the principle of winning converts by buttering them up with degrees, titles, junketing trips, etc.

Lawrence Ships In

Ludwig 'Landy' Lawrence, Metro's European managing director, arrived in New York Monday (17) night from Lisbon, and more than two months spent in central Europe liquidating Metro holdings in countries where Germany banned their operations.

Originally scheduled to arrive about 10 days ago by Clipper plane, Lawrence finally came by boat. It was delayed several days.

12 THEATRES BOMBED

Switch of Nazi Attack to North England Results in Damage

London, Jan. 24.

Recent switch of air attacks to the North Country resulted in damage to a dozen houses alone in the Manchester and Salford area, it has now been disclosed by authorities. In the majority of cases reopening has been effected after repairs. The Radnor cinema was completely demolished, while the Gaiety came out with a wrecked screen and equipment.

Elsewhere in the North, Emery circuit still has five houses closed; the Moorhouse chain lost the Victory in Blackley and has another closed through flooding. The Emery concern suffered damage to six other houses in addition to those closed.

Annual report of South Midlands branch of Cinematograph Exhibs Assn. indicates its area suffered very little.

U. S. FUTURE IN BRAZIL HELD LIMITED

Expansion of American film companies in Brazil is largely dependent on a growth in population coupled with new theatre building and improvements, according to J. C. Bavetta, 20th-Fox manager for Brazil, who is presently in New York for home office confabs. He indicated that not too much could be expected as compared with recent years, because, as he explained, 20th-Fox has been operating in the country for about 25 years; hence, he pointed out, it's not like going into a new market or a situation that can be vastly improved overnight.

Bavetta cited figures showing that there are only 1,200 to 1,300 picture theatres in Brazil, or approximately the same number as in the metropolitan area covered by the N. Y. Film Board of Trade. To further illustrate his point that, too much can't be expected from such a limited market, Bavetta said the top admission is around 30c and extends on down to 2c.

Brazil presently is and has been for some years on a quota basis as to dollar allowances permitted out of the country each week, film companies having the same arrangement as American oil companies on money remittances, the idea being, of course, to protect its dollar exchange. Temporary ban on remittances which lasted for about a month recently is being lifted next week.

Bavetta plans returning to Rio shortly.

ABP May Finance Mycroft Indie Films

London, Jan. 24.

The resignation of Walter Mycroft from Associated British Picture Corp. as director of production has not affected his friendly relations with the company. He is at present in negotiation to continue making pictures for release by ABP, and there will probably be an arrangement whereby Mycroft will be partly financed by ABP in his future films.

John Corfield will also be interested in the venture, but whether the Corfield films will be distributed through AMP, in addition to the Mycroft productions, has not yet been determined. There is a possibility of a new independent producing company being formed to handle the Corfield output, in addition to a tieup with one of the independent production organizations in the U. S.

First pic Mycroft is doing as an indie is 'My Wife's Family,' American farce that Fred Duprey originally brought over.

In London Studios

London, Jan. 24.

RKO inked Percy Parsons to a character role in 'Dangerous Moonlight,' now at Denham. Director Leslie Fenton is shooting all footage first of stars Sally Gray and Anton Walbrook, before putting in call for others. This routining is causing comment here. Kenneth Kent and Derrick de Marney added to cast.

Aviation Pictures, new indie outfit under George King and John Stafford, has filed title of 'First of the Few' for its yarn around inventor of the Spitfire plane. Henry C. James scripted. Pic will likely be held up till March, awaiting floor space.

British National wound up all work on 'Love On the Dole,' from the Walter Greenwood stage play.

Reduction in Finn Film Imports Boosts Locally-Made Prod.

Washington, Feb. 18.

Post-war troubles of Finland do not apply to the Finnish motion picture industry, the Bureau of Foreign and Domestic Commerce has revealed.

Reduction of imports of foreign films into Finland because of abnormal conditions in that country has 'proved a boon' to domestic producers, it was stated. Approximately 30 Finnish feature films should be released during the present exhibition year instead of the normal average of about 20, it is estimated, and exports of Finnish films, particularly to Sweden, are expected to increase. Finns living in the U. S. and Canada also are said to 'now display greater interest in the national product.'

Although prospects for domestic production look brighter, only about 150 features—or half the normal total—are expected to be shown in Finnish theatres during the current exhibition year. American pix 'continue to maintain their outstanding lead' in Finland, the Commerce Department was informed, accounting for nearly 50% of the 87 features shown in the first nine months of 1940. German films represented 17% of the total of features shown in that time and domestic features 16%.

Gross receipts of the 400 theatres operating in Finland in 1939 amounted to $3,200,000, of which $2,400,000 represented income from imported films.

Trend of the Times

London, Jan. 24.

Trend of the times is well represented in metamorphosis undergone by Cambridge theatre, one of West End's few modern legit houses.

Bostock-controlled theatre sees its stage occupied by boxing ring Monday afternoon.

London In Wartime

London, Jan. 24.

Engagement announced of David Horne, actor, to Ann Farrer, non-professional.

Despite hopeful reports of a run until Easter, 'Aladdin' closes at the Coliseum Feb. 8.

New ballet season opens at the Little theatre Feb. 11. Show, to be staged by the Ballet Group, runs daily at lunchtime for an hour, with extra later performances on Thursdays and Saturdays.

'Spellbound,' Pyramid Films' first venture, which ran into censorial trouble, played two weeks at the London Pavilion. Business warranted another week, but had to be pulled due to previous commitment by United Artists, which controls house, to show British Lion Films' 'You Will Remember,' starring Robert Morley.

First time in history of the Palace, Blackpool, that it abandoned its vaudeville policy to show a picture. 'The Dictator' booked there for four weeks.

Gerald Freeman, managing director of Anglo-American Films, goes back to America in April.

David Niven insists that any picture he appears in for an English film company should be directed by Leslie Fenton.

'Hi Gang,' the radio feature starring Bebe Daniels, Vic Oliver and Ben Lyon, goes into production for Gainsborough Films in June. Meanwhile, Vic Oliver starts on film in March for newly-formed John Corfield Film Corp.

Lou Jackson on strict diet. Lost 28 pounds in fortnight.

Bert Feldman has recovered from shingles, which has left him with weak eyesight.

Johnny Green, England's pocket Crosby, getting his 100th broadcast, with British Broadcasting Corp., celebrating the occasion by giving him four minutes on his own.

The Marquis of Queensberry off to America shortly to do series of 12 broadcasts.

Charles B. Cochran dickering with Vic Oliver to star him in new revue. Opening in August.

Equity has called a special general meeting for Feb. 18 to pass on new rule increasing chorus representation on council from two to six members.

U.S. Picture Firms Mull Distribution Of Latin-American Product Would Be Boost to Good-Neighbor Policy

Acquisition of Latin-American film productions for distribution throughout the Spanish-speaking countries, and elsewhere when warranted, being mulled by U. S. distributors as a new way to further Latin-American biz. Several majors already have commitments to handle top Latin-American pictures; others have deals in work and still others are seriously considering picking up such productions.

A number of companies are said to favor this action, which, of course, would also be a means of developing the good-neighbor policy, rather than via too many films with Spanish locales and themes. Reason is that they have been tipped off by their representatives in the Latin Americas that too often Latin-American-themed vehicles made by U. S. companies carry sequences or angles obnoxious to native audiences and seldom build the goodwill sought.

Argentine Pix Liked in Cuba

Argentine pictures are well liked in Cuba, with Buenos Aires stars known and appreciated by Cuban audiences. Popularity of these films is reported to have reached the point where they actually furnish some competition for American product.

Average Latin-American producer today does not have the necessary setup to distribute outside the country of origin. What outside distribution his product gets is obtained via state righters. This has not proved too satisfactory. Consequently he would rather make a deal with an American distributor, even if given lower terms, because of the advantages that go with organized distribution.

This alignment naturally is going to bring additional high-grade features from the Latin Americas. Appreciation of this trend was realized by Clemente Lococo a year ago when he bought a tremendous amount of equipment which he took back to Argentine for studio operations. Now he is set to turn out at least 16 features, with product geared for the entire Latin-American market. His company, known as EFA, has Richard Harlan, formerly assistant director for Paramount, as one of five directors.

Par Mulls Deals

Paramount has been considering deals for this Latin-American product for some time. United Artists, which has Latin-America Co. (Havana) product contracted for distribution in Cuba and the Latin-Americas, is in the market for other South American films if worthy of widespread distribution. 20th-Fox has no intention of making such distrib deals.

Warner Bros. is not committed thus far on picking up such Spanish-made films, even on a limited scale, but may definitely set a policy on this when Robert Schless, foreign manager, returns from his present trip through Central and South America. Metro has not picked up any product for distribution but is always open to make pacts for any worthwhile material.

RKO recently has favored any plan whereby relations with Latin-American nations could be improved. Company already has a deal for production in Spain. Columbia has announced no plans on such a distribution move.

Universal has picked up Latin-American productions for Spanish market distribution, and is constantly on the lookout for additional films when they show possibilities.

HICKS' SAD NEWS

Back from Panama, Learns of Mother-in-Law's Death

John W. Hicks, Jr., Paramount's foreign sales chief, had barely landed in N. Y. with his wife, from attending the first 100% Latin-American sales meeting in Panama, when he was informed of the death that morning (Saturday) of his mother-in-law, Mrs. Fred C. Phipps, in Sedalio, Mo. He and Mrs. Hicks immediately left for Sedalia. Hicks plans returning to N. Y. today (Wednesday).

Hicks briefly recounted about the Paramount sales session before boarding his train for the west. The press in Ancon and Cristobal described the convention as 'the finest example of goodwill building by an American commercial organization in the history of Latin-American trade relations.' Par representatives from 21 Latin-American republics attended.

HYAMS LINES UP PROVINCIAL VAUDE

London, Jan. 24.

Stalled by air-raids from using his Gaumont State House here, Phil Hyams has taken to lining up local halls with which to carry out his vaude policy. First in the deal is Watford, outer London town, where the local emporium has been leased on rental by Hyams for alternate weeks. Deal carries options till December next and allows for alterations to existing stage structure.

Operator doesn't indicate whether his plan is actually countrywide in its development, but he's known to have opened negotiations for other spots. Watford deal is a likely checkup to see how it goes.

Rumor links this Hyams setup with a purchasing of road rights to 'Hi Gang,' Bebe Daniels-Ben Lyon radio hour. Show holds top air rating.

Cellier Succeeds Wontner

London, Jan. 24.

At British Equity Council, Frank Cellier was elected treasurer to replace retiring Arthur Wontner.

Latter has held sway over the books since inception of Equity here.

MUSIC PACT STATUS QUO

Deal With British Exhibs Only Slightly Altered from Previous One

London, Jan. 24.

New pact covering music fees for cinemas, between Performing Rights Society and Cinematograph Exhibitor Assn., is only slightly altered from existing agreement and not in any way affects basic scale of fees.

PRS took the thunder out of existing clamor for a reduction by pointing to society's statement made when signaturing previous pact, and indicating a sizable tilt would be in line for them next time. By agreeing to forego pressing this, society edged exhibitor group into a necessary dropping of all talk of cuts. At one time hinted reduction was in neighborhood of 30%, based on wartime conditions.

TO SHOWMEN IN DOUBLE-BILL TERRITORY ONLY!

DOUBLE SHIVERS! DOUBLE SHUDDERS!

in the most thrilling

SHOCK SHOW

ever shown!

VARIETY

Paramount, with a horror show on screen (dual), is garnering a very big figure at over $17,000.

CHILLS! THRILLS! The story of a woman who found heaven in the arms of a devil!

"The MAD DOCTOR"

A Paramount Picture starring

Basil Rathbone
Ellen Drew
John Howard

Directed by TIM WHELAN

Out-thrills Frankenstein!
Out-scares Dracula!

"The MONSTER AND THE GIRL"

A Paramount Picture with

ELLEN DREW
ROBERT PAIGE
PAUL LUKAS

Directed by STUART HEISLER

Paramount Pictures

St. Louis Variety Club May Go Into Restaurant Biz to Increase Revenue

St. Louis, Feb. 18.

Execs of the local Variety Club are mulling a proposal to enter the restaurant business as a means of increasing the club's revenues and, if the tentative plan crystalizes, the eatery will be opened on Grand Blvd. In the heart of the midtown amusement sector. The tentative plan calls for the reopening of the shuttered Hollywood in the Missouri Theatre Bldg. The owner of the building is expected to put up $15,000, with the Variety Club advancing a like sum which is expected to be enough to launch the enterprise.

The Variety Club's portion of the dough will be donated by some of the bigger exhibs with the understanding they will be relmbursed if the undertaking proves profitable. The club is now located in the basement of the Roosevelt Hotel in the west end and will be moved to the building with a mezzanine being utilized for offices, lounge, etc. A committee headed by Harry C. Arthur, Jr., chief barker, and Lou Ansell of the Ansell Bros. circuit of theatres, is acquainting members with the idea.

Texas Variety's Pledge

Dallas, Feb. 18.

More than $1,000 worth of equipment for a free eye clinic in Dallas was promised by the Variety Club of Texas at a special meeeting of the board and the entire membership last week.

Equipment is for the Eye Conservation department of the Freeman Memorial Clinic for Underprivileged Children. Staff and officials of the Clinic appeared before the membership to explain the need for the instruments requested.

Pittsburgh Election

Pittsburgh, Feb. 18.

With promotion of Burtus Bishop, Jr., to a district managership for Metro in Kansas City, A. Mike Shapiro, local indie circuit owner, has been elected assistant chief barker of Variety Club's Tent No. 1 here. That was the post to which Bishop had been named at last election. Brian McDonald steps up into Shapiro's former office, that of second asst. chief barker, and Art Morrone was picked for the vacancy on the board made by McDonald's elevation.

John H. Harris, national chief barker of Variety Clubs, announced that national convention, which had been scheduled for Atlantic City in April, had been postponed until middle of May instead.

Variety's Keegan Salute

Milwaukee, Feb. 18.

Jack Keegan, with Warner Bros. here for many years, who was shifted from his post as Wisconsin district manager in December to the management of the WB Venetian theatre in Racine, Wis., being succeeded locally by Marcel Brazee, who came from the house Keegan went to, was feted by the Variety club here this past week prior to leaving for Detroit to assume a new job as zone manager and film buyer this week with United Detroit Theatres (Paramount). Keegan's farewell to Milwaukee was the largest event of its kind Variety club ever held for a departing member, and he was presented with a solid silver tea service.

'Ecstasy' Suit Settles U.S. Rights for 5 Years

Ownership of 'Ecstasy' changed hands Thursday (13) when Justice Aaron Steuer in N.Y. supreme court, handing down a ruling from the bench after a one-day trial, gave the rights to the Hedy Lemarr starrer to Michael Wyngate, Inc., and Max Weingarten. Plaintiffs were suing Eureka Productions, Inc., and Samuel Cummins, claiming that the defendants' rights to the picture ran out in October, 1939.

Plaintiffs bought the next five-year rights from Elekta Productions of Czechoslovakia, but the defendants refused to turn over the prints. The court's ruling issued an injunction against further distribution by the defendants, ordered all prints to be turned over to the plaintiffs, who are also given an accounting of profits and damages against Eureka. Fitelson & Mayers represented the plaintiffs.

SPG WANTS TO BARGAIN FOR N. Y. PIX PRAISERS

Hearings were resumed Monday (17) before the National Labor Relations Board in the effort of the New York unit of the Screen Publicists Guild to have itself declared bargaining agent for all homeoffice press, exploitation and advertising department employees. Testimony is expected to wind up this week, following a postponement from last week because of illness of trial examiner Dan Baker.

Employees for whom the Guild seeks to bargain have been divided into various categories according to their work. When it is determined either by agreement or by the NLRB decision which employees are legitimate members, an election will be held by the Labor Board to determine if the SPG holds a majority.

Suggestion by Hyman Glickstein, SPG counsel, that producers consent to immediate elections in seven categories has been turned down by the company lawyers. These groups were advertising copywriters, exploitation men, pressbook editors and writers, publicity writers and planters, and production men.

Guild's right to represent artists, both salaried and piecework, and foreign publicity men was contested by all companies. It was claimed that the foreign publicity is handled by a different department entirely, and therefore these workers should not belong to the same union as the domestic publicity men.

Much of the testimony that has been taken was by various press department employees, who explained their work so that the NLRB office in Washington can give a decision on whether or not they are eligible.

Current hearings apply to all majors but Metro and Warner Bros., which were granted separate hearings. Latter are expected to start within a couple days of the present testimony-taking. Illness of examiner Dan Baker has held up the proceedings.

METRO'S $50,000 MAXIMUM FOR 'PULHAM'

Metro yesterday (Tuesday) purchased H. M. Pulham, Esq.,' novel by John P. Marquand, which is to be published tomorrow (Thursday). Deal was on a sliding scale basis, depending on book sales. Studio made a base payment of about $12,500, with an arrangement for a certain sum to be paid each group of 2,000 or 2,500 copies sold by book wholesalers until a maximum of $50,000 is reached.

'Pulham' is the Book-of-the-Month Club selection for March, but these copies will not count in the Metro payoff. Number of Book-of-the Month sales vary, but around 110,000 are anticipated for 'Pulham.' It was serialized in McCall's magazine as 'Gone Tomorrow.'

Other Story Buys

Hollywood, Feb. 18.

Al Martin sold 'Murder by Proxy' to Sam Katzman for production at Monogram.

'Sing a Song of Suicide,' detective novel, has been annexed by Paramount from James R. Langha, singer, who authored.

'South of Panama' has been sold by Sidney Sheldon and Ben Roberts to Producers Releasing Corp.

Warners bought Mary Roberts Rinehart's story, 'The Dog in the Orchard,' for a short subject.

Bet You'll Scare Now

Hollywood, Feb. 18.

Spooky films become spookier through the use of a new lacquer-like substance, developed at California Institute of Technology and tried out satisfactorily at 20th-Fox.

Used as a coating for camera lenses, the new substance, still unnamed, cuts out reflected light rays and adds an eerie glow to mystery pictures.

B'klyn Indie Fights 306 Boothmen's Move

Action of Local 306, AFL projectionists union, against Julius Wolff, operator of the Livonia theatre, Brooklyn, is being heard by the N. Y. State Labor Board in N. Y. on the complaint that the union's projectionists were thrown out and Empire State operators installed in their place.

Exhibitor Wolff is being represented by attorney Louis Nizer before the labor board. Nizer claims that the union called out the projectionists on a Saturday noon without giving notice, that this constituted quitting rather than a legitimate strike, and that Wolff under the circumstances was forced to hire Empire's projection men. He contended that Wolff did not refuse to negotiate, but that the 306 Local did and tried to blackjack him into signing for an increase which he couldn't afford to pay.

It was pointed out during the hearings by Nizer that Wolff, his wife and son all work in the theatre which is a last-run operation and that $111 weekly is paid the projectionists.

Local 306 always has claimed jurisdiction over theatres in Greater New York and long has contested Empire State's desire to gain a foothold in the city.

IA AND AFM TO INTERVENE IN DET. CASE?

Chicago, Feb. 18.

George E. Browne, of the International Alliance of Theatrical Stage Employees, and James C. Petrillo, of the American Federation of Musicians, are due for a special visit to Detroit next week to intervene in the present fight of the local Building Service Workers Union against the United Detroit Theatres.

Frank Martell, of the Wayne County Labor Body, has appealed direct to William Green, of the American Federation of Labor, for support in this fight against the circuit. Ray Carroll, secretary-treasurer of the Janitors' Union, has been on the air regularly with a direct plea to the showgoers of Detroit to stay away from the United Detroit theatres. Janitors Union is asking for an eight-hour day, six-day week and a minimum wage scale of $5 per day.

National Issue?

Detroit, Feb. 18.

Picketing of United Detroit Theatres and other houses here by the Building Employees local threatens to grow into a national issue. While no strike has been formally declared, the case will be one of those to be reviewed by the American Federation of Labor Council at its winter meeting in Miami, president William Green has announced.

Since Christmas time, although the union has called out no employees, members of the Building Employees have been picketing the Michigan, United Artists, the Palms-State, downtown houses of U. D. as well as some of the chain's nabes, and also took on Balaban's Adams. Recently Ray Carroll, head of the union, took his fight to the radio using VARIETY b.o. figures as proof that the picketing was cutting down business and urging Detroiters to lay off patronage until the union got a 48-hour, $5-a-day contract for the janitors.

The Detroit delegation which will present the case to the national body is headed by Frank X. Martel, Detroit Federation president.

Fly Through the Air

Hollywood, Feb. 18.

Leslie Goodwins, recovering from a long siege of flu, is slated to direct 'Parachute Battalion,' a Howard Benedict production for RKO.

Illness compelled Goodwins to resign the directorship of RKO's 'They Met in Argentine.'

Wayne's Dixie Brogue

Hollywood, Feb. 18.

John Wayne acquires a soft southern accent as male lead opposite Ona Munson in 'Lady From New Orleans' at Republic.

Picture starts next Monday (24) with Bernard Vorhaus as producer-director.

Screen Writers Guild Moves To Kayo All Speculative Scripting

Hollywood, Feb. 18.

Demands for abolition of all speculative writing in the film industry have been drafted by the Screen Writers Guild and will be submitted to the Producers this week. The SWG negotiating committee will insist that all 'spec' deals must go, whether actually written or oral.

This move will have an important bearing on future studio story conferences, which the writers contend is causing most of their present grief, unemployment, etc. The SWG says that scores of complaints have been received in recent months, in which it is claimed the companies evaded the present 'spec' contract clause by 'oral work.' The Guilders contend four or five writers are often called into a conference, handed a book, and asked to come back with some ideas of what they think of it.

It is claimed the writers may spend two or three days reading the book, and anywhere from two days to a week preparing an idea, only to have another writer assigned to the screenplay. They point out that the four or five original writers receive nothing for their efforts, although they may have passed up opportunities for other work in the belief they were going to be handed this assignment.

SWG Want New Deal

The SWG has requested an immediate meeting with the Producers to talk over a new basic agreement to supplant the present six-month pact which expires in April. At the same time, the writers made it plain they will insist upon a contract this time that will afford real protection for scriveners, and that 'under no circumstances' will they renew the present skeleton contract. Abolition of flat deals, or else a high minimum, and minimum salaries, also will be included in the new demands.

The SWG negotiating committee is composed of prexy Sheridan Gibney, Mary C. McCall, Jr., Sidney Buchman, Dore Schary, Ralph Block, Dwight Taylor and John Howard Lawson. The Producers will appoint their negotiating committee this week. It is probable that several company attorneys will be included, since they handled most of the negotiations with the writers when the present contract was inked.

Following the disclosure that earnings of extras nosedived to an all-time low in January, the Screen Actors Guild announced they would press for immediate action on their demands for improved wages and conditions for atmosphere players, as well as day players and freelance actors. There were only 12,105 job placements in January, calling for an aggregate payment of $132,836.90. This was $35,000 under January, 1940, and nearly $100,000 under January, 1939.

Extras Face Crisis

The extra situation has become so serious that Howard R. Philbrick, general manager of Central Casting Corp., released figures to show that 70% of extra casting is being done directly by the studios. Warners is the only studio that is refusing to make any direct requests for extras, with Universal making requests only in certain instances. Philbrick pointed out that with Central handling only 30% of the calls, there were few jobs to distribute among the 6,500 players clamoring for work.

Walter Pidgeon has been appointed an alternate member of the Screen Actors Guild board of directors to serve during the absence of Gloria Stuart. Florence Nash, who had been subbing for Nash, resigned.

All extras working out of Central Casting Corp. have now been typed as to appearance, age, clothes, etc. This means that calls are no longer based on wage scales, but upon the individual extra. In the past extras were merely assigned telephone numbers according to the wage bracket in which they were accustomed to working, those in the $5.50 bracket never being given an opportunity to qualify for better paying jobs.

Directors' Demands Up

The Producer-Screen Directors Guild Conciliation Committee will meet Wednesday (26) to discuss demands of the SDG for a 90% Guild Shop, minimum salaries for directors on small budget pictures, pay for cutting time, etc. If this committee is unable to agree, the demands go to arbitration for final settlement.

The Producers have reached an agreement with five studio unions cailing for the payment of workers within 48 hours after they are dismissed without being given a call back for the next day. The worker will have the right to specify whether the check should be mailed directly to him or to his union headquarters.

It also was agreed that the worker must be notified at the end of each shift whether he is being dismissed or whether he is to return the next day. If such notice is not given the worker has the right to assume he has a call back and upon reporting is entitled to a minimum three-hour call. The crafts affected by the agreement are studio, plasterers, carpenters, electricians, teamsters and utility workers.

The deal was set at a conference between Pat Casey, Fred Pelton and Orville Fouse, representing the Producers, and Frank Carothers, Al Smith, L. C. Helm, Joseph Touhy, Ralph Clare, Al Speede, William Castle, Ben Martinez and E. W. Parsons, sitting in for the Unionists.

Virtually all of the studio locals of the International Alliance of Theatrical Stage Employees have submitted demands calling for a minimum six-hour work call, and improved wages and conditions. It is generally understood, however, that even the locals themselves do not expect to make any headway without the assistance of George E. Browne, prexy, and the general executive board of the IATSE. Several of them have already appealed to the International for assistance, but it is understood the IATSE is determined to give the Coast locals all the autonomy they want before stepping into the picture.

ROXY, N.Y., NIXES 'LIVE' TRAILER FOR 'RIO'

Plans to produce a special stage show trailer at the Roxy, N. Y., plugging 'That Night in Rio' (20th-Fox) were shelved this week after the theatre management previewed the first of the three tailor-made film trailers produced at the 20th studios. Original idea was to have Jack Partington produce a live show trailer advertising 'Rio.' To minimize cost to the Roxy, 20th-Fox shipped some $10,000 worth of costumes to New York. Stage trailer, with condensed, thumb-nail hint of production numbers from film, was to be presented along with 'Tobacco Road,' which opens Feb. 20.

Roxy execs, however, found that studio film job covered the grounds thoroughly, and when considering also that additional stage stuff, devoted to the same subject, would tend to slow the tempo, it abandoned the live trailer proposal. Far as can be ascertained, last time a live stage trailer was presented at Roxy was in connection with 'Alexander's Ragtime Band.'

The film trailers were reportedly turned out at 20th-Fox on suggestion of Herman Wobber, as a substitute for the lack of radio exploitation because of the ASCAP schism.

DUAL B'WAY PREEM FOR 'JOHN DOE' AT RIV, 51 ST.

A dual world premiere will be held at a pop-run policy for 'Meet John Doe' on Broadway early next month when the Rivoli and 51st St. theatres bow the Frank Capra-Robert Riskin (WB) production. Barbara Stanwyck and Gary Cooper are starred. Date hasn't been set.

Date at the Rivoli will have upped prices, the scale to be the same at both theatres, and film will have continuous showings at both houses following the evening debut.

Engagements in key cities in the U. S. and Canada will be launched following the New York openings.

Strawberry Blonde

Hollywood, Feb. 13.

Worner Bros. release of William Cagney production. Stars James Cagney, Olivia de Havilland; features Rita Hayworth, Alan Hale, Jack Corson, George Tobias. Directed by Raoul Walsh. Screenplay by Julius J. and Philip G. Epstein, from play by James Hagan; dialog director, Hugh Cummings; camera, James Wong Howe; editor, William Holmes; ass't director, Russ Saunders. Previewed at studio, Feb. 12, '41. Running time, 98 MINS.

Bi Grimes....James Cagney
Amy Lind....Olivia de Havilland
Virginia Brush....Rita Hayworth
Old Man Grimes....Alan Hale
Hugo Barnstead....Jack Carson
Nicholas Pappalas....George Tobias
Mrs. Mulcahey....Una O'Connor
Harold....George Reeves
Harold's Girl-friend....Lucile Fairbanks
Big Joe....Edward McNamara
Josephine....Helen Lynd
Toby....Herbert Heywood

Warners dips into the Gay Nineties period with this second film version of James Hagan's play, 'One Sunday Afternoon.' Paramount turned out the original picture back in 1933 with Gary Cooper starred. Lacking action in many spots, and failing to maintain a consistent gait overall, picture's major interest is the Americana display of manners and customs of the particular period. Starring combo of James Cagney and Olivia de Havilland is sufficient marquee dressing, however, to carry it through the regular runs for nominally profitable biz.

This entry of the Hagan play switches the locale from a small town to New York; otherwise it sticks close to the original. Cagney is still an assertive fist-wielder, always ready to do battle, but comes off second best in every instance until one free-for-all at the finish. In attempting to carry through two major premises—Cagney's anticipation of revenge against the man who railroaded him to the pen for a stretch; and the battle of his wife, Miss De Havilland, to overcome his memories of the flirtatious heart-breaker of their pre-marriage days—story is not too clearly pointed. As a result, minor incidents of the period are injected in numerous instances to bridge the gaps.

Story is told in retrospect. Cagney is a struggling dentist with few patients, when an emergency call comes to pull a molar of his worst enemy, and he figures to give the latter a good dose of gas. While waiting for the patient's arrival, yarn goes back 10 years, when Cagney was enamored of the neighborhood's 'strawberry blonde,' as were all the other boys who hung around the barber shop. Jilted, he conveniently marries the loving and understanding nurse, Miss de Havilland, but through the years carries a hate for the man who victimized him and stole his first girl. But he again meets the girl of his memories, finds her a nagging nuisance, and figures his enemy has had sufficient punishment through the years. It's then that he realizes he has the perfect wife.

Cagney and Miss de Havilland provide topnotch performances that do much to keep up interest in the proceedings. Rita Hayworth is an eyeful as the title character, while George Tobias is effective as the Greek barber and pal of Cagney. Jack Carson is excellent as the politically ambitious antagonist of the dentist. Alan Hale displays rowdy comedy as Cagney's worthless father. Raoul Walsh gets the utmost of the story material provided. *Walt.*

Adam Had Four Sons

Hollywood, Feb. 15.

Columbia release of Robert Sherwood production; associate producer, Gordon S. Griffith. Stars Ingrid Bergman, Warner Baxter. Directed by Gregory Ratoff. Screenplay by William Hurlbut and Michael Blankfort; from novel by Charles Bonner; camera, Peverell Marley; editor, Francis D. Lyon; asst. director, Norman W. Deming. Previewed in studio projection room, Feb. 14, '41. Running time, 108 MINS.

Emilie Gallatin....Ingrid Bergman
Adam Stoddard....Warner Baxter
Hester....Susan Hayward
Molly....Fay Wray
Older Boys—
Jack....Richard Denning
David....Johnny Downs
Chris....Robert Shaw
Phillip....Charles Lind
Younger Boys—
Jack....Billy Ray
David....Steven Muller
Chris....Wallace Chadwell
Phillip....Bobby Walberg
Cousin Philippa....Helen Westley
Vance....June Lockhart
Otto....Pietro Sosso
Dr. Lane....Gilbert Emery
Photographer....Renie Riano
Sam....Clarence Muse

This is a film version of Charles Bonner's novel, 'Legacy,' which details the decade history of a typical American family kept intact by the father through the panic of 1907 and the World War. The unanimous loyalties of the group, through prosperity and vicissitudes, are broadly etched throughout the unreeling to result in moderately satisfactory entertainment. Marquee voltage of Warner Baxter and Ingrid Bergman will carry the picture through the regular runs for okay biz.

'Adam Had Four Sons' is the first productional effort of Robert Sherwood (not the playwright) who had a yen for pictures after a stretch in radio announcing. He acquired film rights to the Bonner novel, and landed a deal with Columbia on the strength of holding the story property. His first production venture displays several rough edges and lightly-pointed sequences that could have been polished up, but carries a fair over-all audience interest that will get it by without complaint.

Ingrid Bergman makes her first screen appearance since American introduction in David O. Selznick's 'Intermezzo' last year. Under able guidance of Gregory Ratoff, Miss Bergman turns in a persuasive and sympathetic performance that indicates she could hit substantial b.o. rating with more frequent assignments. Warner Baxter does well as the head of the household, steeped in good old American tradition that family bonds are unbreakable.

Members of the supporting cast are competently slotted for their respective assignments. Fay Wray is excellent in brief appearances during the early episodes as the mother of the household; while Susan Hayward stands out as the scheming and conniving wife of son Johnny Downs. Helen Westley injects minor comedy as a grumpy old maid.

Picture is divided into two sections. First details the 1907 period, with young Miss Bergman arriving from abroad to assume charge of the four young boys as governess. She soon becomes one of the family, but sudden death of the wife is followed by family's financial collapse and necessity of the girl returning home. Ten years later Baxter recoups his fortunes, reacquires the old home, and sends for Miss Bergman to return. With the boys grown to near-manhood, and all enlisting in various branches of the service, she is pitted against the attempts of unscrupulous Miss Hayward to disrupt the family happiness through free lovemaking with her husband's brother. Miss Bergman, to protect Baxter and his sons, apparently sacrifices her own honor in the attempt. But the restrained love of the governess and Baxter finally shines forth to end things happily. *Walt.*

BLONDE INSPIRATION

Metro release of B. P. Fineman production. Features John Shelton, Virginia Grey, Albert Dekker, Charles Butterworth, Donald Meek, Reginald Owen. Directed by Busby Berkeley. Screenplay, Marion Parsonnet; adapted from play by John Cecil Holm; camera, Sidney Wagner and Oliver T. Marsh; music, Bronislau Kaper; editor, Gene Ruggiero. Previewed in Projection Room, N. Y., Feb. 14, '41. Running time, 71 MINS.

Jonathan Briggs....John Shelton
Margie Blake....Virginia Grey
Phil Hendricks....Albert Dekker
'Bitsy' Conway....Charles Butterworth
'Dusty' King....Donald Meek
Reginald....Reginald Owen
Victoria....Alma Kruger
Regina....Rita Quigley
Wanda....Marion Martin
C. V. Hutchins....George Lessey

John Cecil Holm's 'Four Cents a Word,' which had been kicking around the Broadway play marts for several years without achieving a production, has found a transition to the screen in the Metro 'Blonde Inspiration.' The pattern that Holm originally tried with his 'Three Men on a Horse,' a George Abbott collaborative effort, is still partially evident in 'Blonde Inspiration,' an at times hysterically shrieking satire on the pulp-publishing biz. However, this Marion Parsonnet adaptation has no Abbott associated with it. And, unfortunately, the result shows it. It's a minor B.

Attempt to hypo the film's box-office lure with a sex-appealing title like 'Blonde Inspiration' is one of Metro's anomalies as far as this film is concerned. There apparently isn't a blonde inspiration around, or at least as far as the immediate cast credits would indicate, though the press book on the picture has platinum-tressed Marion Martin—who isn't even featured, and has only a bit part at that—decorating its pages in several curvacious poses, with appropriate captions that would suggest her prominent place in the film.

Muster-passing fiction, of course, doesn't have to be within the realm of possibility—there's 'Three Men on a Horse' for example—but this yarn of a fictioneer of western pulpers, who actually does a 35,000-word novel overnight, and his entanglement with a shoestring publisher and editor just doesn't have enough funny situations.

An additionally poor selling factor is the lack of marquee power in the cast, though the players generally disport themselves well. Heading the sextet of featured performers are John Shelton and Virginia Grey, he the pulpster with visions of better things to write, and she the publisher's sec. They're the romantic interest, handling the assignments neatly, though it's Shelton who impresses particularly of the entire cast.

One of the gags satirizing pulp-writers with a tendency toward formula is the 'writer's friend,' a spinning wheel device that determines plots for stories, and it produces one of the film's niftier laughs. Another is in the takeoff of a supposedly virile writer who signs himself 'Dusty King,' though he's actually none other than the two-gunless, habitually inebriated Donald Meek.

Albert Dekker and Charles Butterworth are the publisher and editor, respectively, and they indicate merit far greater than their material. Reginald Owen, as Shelton's uncle and would-be benefactor, and Meek, do as well as can be expected, while Miss Martin confines herself to a dumb-dora role as the gal friend of Butterworth with scarcely a half-dozen words to say in the comedy. The 'comedy' appellation is Metro's. *Naka.*

Miniature Reviews

'Strawberry Blonde' (WB). Remake of 'One Sunday Afternoon,' starring Cagney and Olivia de Havilland. OK for regular runs.

'Adam Had Four Sons' (Col). Ingrid Bergman and Warner Baxter in moderately entertaining drama. Nominal b.o.

'Blonde Inspiration' (M-G). Feeble comedy about pulp-writers.

'Blondie Goes Latin' (Col). Set to music, latest Bumstead adventure gives the series new life. Holds better b.o. promise.

'Golden Hoofs' (20th). Jane Withers races trotting horses in good programmer that will click with her following.

'Father's Son' (WB). Strictly third-rate. Top players are John Litel and Frieda Inescort.

'Phantom Submarine' (Col) No marquee names, but has exploitation possibilities. Story is light and the performance likewise.

'Devil Commands' (Col). Not a chance.

'Spring Meeting' (Pathe-British). Sturdy comedy that should do okay on U. S. duals.

'Compliments of Mister Flow' (French). Pre-war French farce-meller which shows possibilities.

'The Farmer's Wife' (Pathe-British). Lightweight, modestly budgeted comedy with little box-office strength.

BLONDIE GOES LATIN

(WITH SONGS)

Columbia release of Robert Sparks production. Stars Penny Singleton, Arthur Lake, Larry Simms; features Ruth Terry, Tito Guizar, Jonathan Hale. Directed by Frank R. Strayer. Screenplay, Richard Flournoy, Karen DeWolf; story, Quinn Martin; camera, Henry Freulich; editor, Gene Havlick; songs, Chet Forrest, Bob Wright. Reviewed in Projection Room, Lincoln, Neb. Running time, 70 MINS.

Blondie....Penny Singleton
Dagwood....Arthur Lake
Baby Dumpling....Larry Simms
Lovey Nelson....Ruth Terry
Don....Tito Guizar
Dithers....Jonathan Hale
Alvin....Danny Mummert
Mailman....Irving Bacon
Little Girl....Janet Burston
Trent....Kirby Grant
Captain....Joseph King
Driver....Eddie Acuff

No film series sticks closer to a given format than the Blondies, and the first five minutes of each of them is so much alike the customers can only place faith in the management of a theatre that he isn't handing them an o l d i e. Nevertheless, 'Blondie Goes Latin' manages to be better than the others by a small margin—even with the repetitions.

Saving the film from mediocrity is the music, able work from Bob Wright and Chet Forrest, with arrangements penned by Leo Arnaud. There are three Latin tunes, 'Querida,' 'Brazilian Cotillion' and 'Solteiro E Melhor,' and three straights, 'You Don't Play a Drum (You Beat It),' 'Hate Music Lessons' and 'You Can't Cry On My Shoulder.'

Relief provided by the music from the continual domestic differences of the Bumsteads, makes that portion, even though present in 'Latin,' much less tiresome and monotonous. The vocals are by Penny Singleton, Tito Guizar and Ruth Terry. Penny also acquits herself admirably in dance numbers ranging from tap to conga, nosalgic of the days when she hoofed on Broadway as Dorothy McNulty.

Surprise is the handling of Ruth Terry, who is physically an eye-opener, aside from her ability in singing and dancing. It's probably in deference to family audiences who tramp to the b.o. for the Blondies, but she is definitely not on revelation status, at which she shines. It's one of those parts, too, wherein she's being suspected by Miss Singleton of having boudoir designs on her jittery husband.

Scripters start to send the Bumsteads and their boss to South America for a vacation, but Dagwood (Arthur Lake) is sent off the boat at the last minute to close a deal at home. He doesn't go, but disguises himself as a drummer in the ship's orch. To keep away from Blondie, he hides out in Ruth Terry's stateroom. Blondie makes a pitch for Latin-piped Guizar, and the wires get crossed up in great shape before a finale irons it out.

Decision of producer Robert Sparks to put a Blondie to music was a smart move to save the series and give it new impetus. Frank Strayer's direction suggests he's not out of his element with music to worry with, and he turns in a commendable job. All technical departments par.

'Blondie Goes Latin' is worth pressure and will live up to expectation of patrons. *Art.*

Will Exhibs Prefer 'Em?

'Blonde' blossoms forth in titles of three pictures reviewed on this page. Films are 'Strawberry Blonde' (WB), 'Blonde Inspiration (M-G) and 'Blondie Goes Latin' (Col).

GOLDEN HOOFS

Hollywood, Feb. 14.

20th Century-Fox release of Walter Morosco-Ralph Dietrich production. Stars Jane Withers; features Charles (Buddy) Rogers. Directed by Lynn Shores. Screenplay by Ben Grauman Kohn; original by Roy Chanslor and Thomas Logan; camera, Lucien Andriot; editor, James B. Clark. Previewed in studio projection room Feb. 13, '41. Running time, 68 MINS.

Jane Drake....Jane Withers
Dean MacArdle....Charles (Buddy) Rogers
Cornelia Hunt....Katharine Aldridge
Dr. Timothy Drake....George Irving
Morthy Witherspoon....Buddy Pepper
Booth....Cliff Clark
Mose....Phillip Hurlick
Gwen....Sheila Ryan
Calvin Harmon....Howard Rickman

The raising and training of trotting horses for the grand circuit provides a fresh racing background for this Jane Withers starrer. Picture is a solid programmer for the Withers following in the family houses, and will be easily acceptable by audiences that are not too particular in an oversupply of hokum injected for general entertainment purposes.

Jane Withers is the youngster who has a knack of training trotters in upper New York state; Buddy Rogers arrives to turn the old farm into a training track for racehorses, discarding the stable of trotters. Jane is successful in her campaign to convert Rogers to riding the sulkies, and suffers the pangs of puppy love with the millionaire youth. There's a climactic trotting race and a switcheroo in which Jane's horse fails to win. But everything comes out all right when Rogers turns over his winnings for a community hospital Jane's grandfather is concerned about.

Story, although following familiar pattern in situations and general development, highlights the fresh background of trotters and pacers which have higherto been overlooked by the Santa Anita-conscious writers and producers. Horse lovers will get a boot out of the rhythmic strides of the equines in the various race sequences.

Charles (Buddy) Rogers returns to films after a long absence, and delivers an above par and personable performance as the bemoustached young millionaire bent on making money out of the racing enterprise. Young Miss Withers dominates things with her usually competent performance. A colored youngster, Phillip Hurlick, is neatly spotted for kid antics and ably carries his prominent assignment for display of solid comedy. George Irving is the kindly old medic and grandfather, and others in support include Katharine Aldridge, Buddy Pepper and Cliff Clark. Direction by Lynn Shores is okay. *Walt.*

FATHER'S SON

Warner Bros. production and release. Features John Litel, Frieda Inescort, Billy Dawson, Christian Rub, Phillip Hurlic. Directed by D. Ross Lederman. Based on story by Booth Tarkington; adaptation, Fred Niblo, Jr.; editor, Frank Magee; camera, Allen G. Siegler. At Palace, N. Y., dual, week Feb. 12, '41. Running time: 57 MINS.

William Emory....John Litel
Ruth Emory....Frieda Inescort
Bill Emory....Billy Dawson
Lunk Nelson....Christian Rub
Della....Bernice Pilot
Vestibule....Phillip Hurlic
Junior Stewart....Sammy McKim
Berries Sweeney....Sonny Bupp
Danny....Scotty Beckett
Mrs. Stewart....Myra Marsh
Tex....John Dilson
Gus....George Lloyd
Mrs. ....Inez Gay

'Father's Son' is perhaps a new high in the waste of time; it's 57 minutes that seems double that. More trimming than apparently has already been done by editor Frank Magee would have taken it out of the feature class.

The consent decree should discourage such poor stories (with apologies to Booth Tarkington's eminence as a writer) and also such banal adaptations, the haphazard direction of D. Ross Lederman and casting which means nothing at the boxoffice.

It is difficult to conceive that a Tarkington story, as pictured in this exhibit, could be so bad. As lifeless as a hibernating bear, the plot proves as thin as Canadian pea soup, and the performances of John Litel and Frieda Inescort, in the principal roles, are anything but inspired.

They play man and wife, the parents of a mischievous but seemingly well-meaning kid, who is ultimately responsible for a break in the household. The unusual twist is that he gets a conscience finally, and, through a kidnaping ruse engineered by himself and a fish-dealer friend, effects a reconciliation. The boy is Billy Dawson. He'll never menace Mickey Rooney's position in films. Christian Rub, the old fisherman who takes a liking to the lad and vice versa, ably etches the Swede character he plays.

Action is in a small town and built around a family of the middle class, father being an attorney who takes things very seriously, while the wife is inclined to be more lenient with their son. A very thin layer of comedy of the homespun variety has been laid on the story. *Char.*

Phantom Submarine

Columbia release of Ralph Colin production. Features Anita Louise, Bruce Bennett, Oscar O'Shea, Pedro De Cordoba. Directed by Lionel Banks. Story, Augustine Muir; screenplay, Joseph Krumgold; camera, Barney McGill; sound, George Cooper; editor, William Lyon. Reviewed at Variety, Lincoln, Neb., dual. Running time, 60 MINS.

Madeleine....Anita Louise
Sinclair....Bruce Bennett
Vulsar....Oscar O'Shea
Dreux....John Tyrell
Jerome....Pedro De Cordoba
Ming....Victor Wong
Second Mate....Charles McMurphy
Engineer....Harry Strang

Takes cast and scripters a long time to get to the title in this film, which can be exploited on short dates, by sensation routines, into fair money. It has a good peg on which to hang the campaign, what with Axis under-sea warfare now in full swing and getting headline mention.

Actually, 'Phantom Submarine' is very dull. It's about a trip on a salvage ship to small Caribbean island, off which is supposed to be a sunken hulk containing a fortune in gold. A sobbie (Anita Louise) is commissioned incog away from her paper by the U. S. Navy to find out about a mysterious sub which is said to be cruising those waters on a mission against the Panama canal. Most of the footage deals with the rowing of Miss Louise, who stows away, and Bruce Bennett (nee Herman Brix), who is the diver on the salvage crew. He, when on the ocean floor near the windup of the picture, does three things—(1) finds the gold, (2) finds the sub's mission has been to lay mines, and (3) proves his diving suit, once refused by the navy, can stand all the pressure that tests put on it.

Miss Louise is rehash of the favorite film version of sobbie, about as safe a bet with a secret mission, from all appearances, as a child with a hammer and percussion cap. Dialog she's given is none too commendable, either. Bennett's histrionics aren't much, but there's so little action his part is mostly lost motion. The nice work is done by Oscar O'Shea, the ship's captain, and vet Pedro De Cordoba, who is the correlating factor in the anti-American mine-laying plot. It's a breeze for them both.

Safest way to handle this film in the duals—and that's where it's destined to go—is to use it for the exploitation side, and couple with a good, but hard-to-sell flick. Under such conditions, the bally of 'Phantom Sub' will provide the b.o. draft, and the other pic, the entertainment. *Art.*

The Devil Commands

Columbia release of Wallace MacDonald production. Stars Boris Karloff; features Richard Fiske, Amanda Duff, Anne Revere and Ralph Penney. Directed by Edward Dmytryk. Story, William Sloane; adaptation, Robert D. Andrews and Milton Gunzburg; editor, Al Clark; camera, Allen G. Siegler. At Rialto, N. Y., week Feb. 13, '41. Running time: 65 MINS.

Dr. Julian Blair....Boris Karloff
Dr. Richard Sayles....Richard Fiske
Anne Blair....Amanda Duff
Mrs. Walters....Anne Revere
Karl....Ralph Penney
Mrs. Marcy....Dorothy Adams
Seth Marcy....Walter Baldwin
Sheriff Willis....Kenneth MacDonald
Helen Blair....Shirley Warde

Exhibitors will have a word for 'Devil Commands,' but it can't be used in polite society. Starring Boris Karloff, it's something that required just nerve to produce. To put the film on the release schedule amounts to extreme bravery.

Story is credited to William Sloane, while the adaptation was done by Robert D. Andrews and Milton Gunzburg. As a starter that was bad enough, but in the direction of Edward Dmytryk, the production of Wallace MacDonald and the technical work, nothing has been added to quicken pace.

The secondary first-run Rialto is billing the star as Boris 'Arsenic' Karloff. He's some kind of poison without doubt, but in New York that 'arsenic' gag may help since Karloff is in the hit show, 'Arsenic and Old Lace.'

Plot of his latest picture revolves around the efforts of a scientist to communicate with the dead through a brainwave machine. Experiments result in a couple of deaths. Karloff is supported by Anne Revere, his partner in the experiments; Amanda Duff, as his daughter; Richard Fiske, her b.f., and Ralph Penney, a lab helper whose mind has become affected by one of Karloff's brain-recording gadgets. In spots Miss Duff speaks offscreen in explaining the action. She and other members of the supporting cast show little ability. *Char.*

SPRING MEETING

(BRITISH-MADE)

London, Jan. 24.

Pathe Pictures release of Walter Mycroft production. Features Nova Pilbeam, Basil Sydney, Henry Edwards. Directed by Walter Mycroft. Adapted from stage play by M. J. Farrell and John Perry; camera, Walter Harvey. At Cambridge, London, Jan. 23. Running time, 83 MINS.

Tiny Fox-Collier....Enid Stamp-Taylor
Tony Fox-Collier....Michael Wilding
James....Basil Sydney
Joan Furze....Sarah Churchill
Baby Furze....Nova Pilbeam
Johnny....W. G. Fay
Aunt Bijou....Margaret Rutherford
Sir Richard Furze....Henry Edwards
Michael Byrne....Hugh McDermott

As with the original, cinemagoers will find much to delight them in this celluloid version of the pranky

Continued on page 18)

SOMETHING
BIG
COMING!
IT'S M-O-D-E-R-N! A big story change for Errol Flynn but no change in quality! It's the Sea Hawk as a modern Hawkshaw—a great mystery, a terrific romance —a brilliant new box-office number from WARNERS
ERROL FLYNN
in
'Footsteps in the Dark'
with
BRENDA MARSHALL
RALPH BELLAMY ALAN HALE
LEE PATRICK • ALLEN JENKINS • LUCILE WATSON
Directed by LLOYD BACON
Screen Play by Lester Cole and John Wexley
From the Play by Lazlo Fodor, Bernard Merivale and Jeffrey Dell

FILM BOOKING CHART

(For information of theatre and film exchange bookers VARIETY *presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of reviews as given in* VARIETY *and the running time of prints are included.)*

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Key to Type Abbreviations: M—Melodrama; C—Comedy; CD—Comedy Drama; W—Western; D—Drama; RD—Romantic Drama; MU—Musical. Figures herewith indicates date of VARIETY*'s review and running time.*

WEEK OF RELEASE—12/27/40			
Arizona (Col) 11/20	WD	125	J. Arthur-W. Holden
The Wildcat of Tucson (Col) 2/19	W	59	B. Elliott-E. Young
Keeping Company (M-G) 1/4	C	79	A. Rutherford-J. Shelton
Rolling Home to Texas (Mono)	W	63	T. Ritter
Love Thy Neighbor (Par) 12/25	C	81	J. Benny-M. Martin
North West Mounted Police (Par) 10/23	D	125	G. Cooper-M. Carroll
Kitty Foyle (RKO) 12/18	D	86	G. ogers-D. Morgan
Bowery Boy (Rep) 1/4	D	71	D. O'Keefe-L. Campbell
Chad Hanna (20th) 12/18	D	86	H. Fonda-L. Darnell
The Invisible Woman (U) 1/4	M	70	J. Barrymore-J. Howard
Thief of Bagdad (UA) 10/16	D	105	C. Veidt-J. Duprez
Santa Fe Trail (WB) 12/18	W	110	E. Flynn-O. de Havilland
North West Mounted Police (Par) 10/23	M	125	G. Cooper-M. Carroll
WEEK OF RELEASE—1/3/41			
This Thing Called Love (Col) 12/25	C	92	R. Russell-M. Douglas
Flight Command (M-G) 12/18	W	113	R. Taylor-R. Hussey
Trail of the Silver Spurs (Mono) 1/22	W	58	R. Corrigan-M. Terhune
Second Chorus (Par) 12/4	MU	84	F. Astaire-P. Goddard
Convoy (RKO) 6/26	M	95	C. Brook-J. Campbell
Hudson's Bay (20th) 12/25	D	94	P. Muni-G. Tierney
Lucky Devils (U)	M		R. Arlen-A. Devine
Where Did You Get That Girl? (U)	C	64	H. Parrish-E. Quillan
Son of Monte Cristo (UA) 12/4	D	102	L. Hayward-J. Bennett
Four Mothers (WB) 1/15	D	87	Lane Sisters-C. Rains
WEEK OF RELEASE—1/10/41			
Pinto Kid (Col) 2/5	W	66	C. Starrett-L. Currie
Maisie Was a Lady (M-G) 1/15	C	76	A. Sothern-L. Ayres
Doomed Caravan (Par) 1/8	W	60	W. Boyd-R. Hayden
Wyoming Wildcat (Rep)	W		D. Barry-J. Duncan
Little Men (RKO) 12/4	D	84	K. Francis-J. Oakie
M. Shayne, Private Detective (20th) 12/25	D	77	L. Nolan-M. Weaver
San Francisco Docks (U) 1/4	D	65	B. Meredith-I. Hervey
Boss of Bullion City (U)	W		J. Brown-F. Knight
Case of the Black Parrot (WB) 1/15	M	60	W. Lundigan-M. Wrixon
WEEK OF RELEASE—1/17/41			
The Face Behind the Mask (Col) 2/12	D	69	P. Lorre-E. Keyes
Philadelphia Story (M-G) 11/27	D	111	K. Hepburn-C. Grant
You're Out of Luck (Mono)	D	62	F. Darro
Victory (Par) 12/18	D	77	F. March-B. Field
Let's Make Music (RKO) 12/12	MU	82	B. Crosby-E. Risdon
Robinhood of the Pecos (Rep) 1/15	W	59	R. Rogers-M. Reynolds
Romance of the Rio Grande (20th) 1/4	W	73	C. Romero-P. Morison
Six Lessons from Madame LaZonga (U)	C		L. Velez-H. Parrish
Honeymoon for Three (WB) 2/12	C	79	G. Brent-J. Wyman
WEEK OF RELEASE—1/24/41			
Land of Liberty (M-G) 1/15	D	98	All-Star Cast
The Wild Man of Borneo (M-G)	CD		F. Morgan-B. Burke
Life With Henry (Par) 1/22	C	80	J. Cooper-L. Ernst
The Saint in Palm Springs (RKO) 1/8	D	65	G. Sanders-W. Barrie
Road Show (UA) 2/12	C	85	C. Landis-A. Menjou
Tall, Dark and Handsome (20th) 1/22	M	77	C. Romero-M. Berle
Ridin' on a Rainbow (Rep) 1/29	W	79	G. Autry-S. Burnett
High Sierra (WB) 1/22	D	100	H. Bogart-I. Lupino
WEEK OF RELEASE—1/31/41			
Come Live with Me (M-G) 1/22	C	86	J. Stewart-H. Lamarr
Kid's Last Ride (Mono)	W		R. Corrigan-J. King
Mr. and Mrs. Smith (RKO) 1/22	C	90	C. Lombard-R. Montgomery
Arkansas Judge (Rep)	C	72	Weaver Bros. & Elviry
Petticoat Politics (Rep) 2/12	C	67	R. Karns-R. Donnelly
Girl in the News (20th) 1/4	D	77	M. Lockwood-E. Williams
Buck Privates (U) 2/5	C	82	Andrews Sis-Abbott-Costello
Father's Son (WB) 2/19	D	57	J. Litel-F. Inescort
WEEK OF RELEASE—2/7/41			
The Devil Commands (Col) 2/19	M	65	B. Karloff-A. Duff
Blonde Inspiration (M-G) 2/19	D	71	J. Shelton-V. Grey
Ridin' the Cherokee Trail (Mono)	W		T. Ritter-B. Miles
You're the One (Par) 2/5	C	79	O. Tucker-B. Baker
Along the Rio Grande (RKO) 1/29	W	66	T. Holt-B. Rhodes
Ride, Kelly, Ride (20th) 2/12	C	59	E. Pallette-R. Quigley
Back Street (U) 2/12	D	89	C. Boyer-M. Sullavan
Flight From Destiny (WB) 1/4	D	73	T. Mitchell-J. Lynn
WEEK OF RELEASE—2/14/41			
Across the Sierras (Col)	W		B. Elliott-L. Walters
Trial of Mary Dugan (M-G) 2/12	D	82	R. Young-L. Day
The Mad Doctor (Par)	D		J. Howard-E. Drew
Play Girl (RKO) 12/18	RD	76	K. Francis-J. Ellison
Phantom Cowboy (Rep)	W		D. Barry-V. Carroll
Golden Hoofs (20th)	D	68	J. Withers-C. Rogers
Prairie Pioneers (Rep)	W		B. Steele-B. Livingston
Meet the Chump (U) 2/12	C	59	H. Herbert-A. Nagel
So Ends Our Night (UA) 1/29	D	120	F. March-M. Sullavan
Kisses for Breakfast (WB)	C		D. Morgan-S. Ross
WEEK OF RELEASE—2/21/41			
Adam Had Four Sons (Col) 2/19	D	108	W. Baxter-I. Bergman
Meet Boston Blackie (Col)	D		C. Morris-R. Hudson
Andy Hardy's Private Secretary (M-G)	C		M. Rooney-L. Stone
Virginia (Par) 1/15	RD	107	M. Carroll-F. MacMurray
Scattergood Baines (RKO) 2/12	C	69	G. Kibbee-E. Dunn
Western Union (20th) 2/5	D	93	R. Young-R. Scott
Nice Girl (U)	C		D. Durbin-F. Tone
Strawberry Blonde (WB) 2/19	CD	98	O. DeHavilland-J. Cagney
WEEK OF RELEASE—2/28/41			
Blondie Goes Latin (Col) 2/19	C	70	P. Singleton-A. Lake
Outlaws of the Panhandle (Col)	W		C. Starrett-F. Robinson
Free and Easy (M-G)	C		R. Cummings-R. Husse
In Old Colorado (Par)	W		W. Boyd-R. Hayden
Citizen Kane (RKO)	D		O. Welles-J. Cotten
A Man Betrayed (Rep)	D		J. Wayne-F. Dee
Scotland Yard (20th)	D		N. Kelly-H. Wilcoxon
Dark Streets of Cairo (U) 12/4	M	59	S. Gurie-R. Byrd
Shadows on the Stairs (WB)	M		F. Inescort-H. Angel
WEEK OF RELEASE—3/7/41			
Lone Wolf Takes a Chance (Col)	M		W. William-J. Storey
Rage in Heaven (M-G)	D		R. Montgomery-I. Bergman
Flying Wild (Mono)	D		L. Gorcey-B. Jordan
The Hard-Boiled Canary (Par)	D		A. Jones-S. Foster
Great Train Robbery (Rep)	W		B. Steele-C. Carleton
Tobacco Road (20th)	D		G. Tierney-C. Grapewin
Mr. Dynamite (U)	D		L. Nolan-I. Hervey
WEEK OF RELEASE—3/14/41			
Penny Serenade (Col)	D		I. Dunne-C. Grant
The Bad Man (M-G)	W		W. Beery-L. Barrymore
Sign of the Wolf (Mono)	D		G. Bradley-M. Whalen
A Girl, a Guy and a Gob (RKO)	C		G. Murphy-L. Ball
Back in the Saddle (Rep)	W		G. Autry-S. Burnette
Murder Among Friends (20th)	M		M. Weaver-D. Dumbrille
Model Wife (U)	CD		J. Blondell-D. Powell
Here Comes Happiness (WB)	D		E. Norris-M. Coles
WEEK OF RELEASE—3/21/41			
Ellery Queen's Penthouse Mystery (Col)	M		R. Bellamy-M. Lindsay
Ziegfeld Girl (M-G)	MU		J. Garland-J. Stewart
The Lady Eve (Par)	D		H. Fonda-B. Stanwyck
Footlight Fever (RKO)	C		A. Mowbray-D. McBride
Dead Men Tell (20th)	M		S. Toler-S. Ryan
Double Date (U)	C		P. Moran-U. Merkel
The Sea Wolf (WB)	D		E. Robinson-I. Lupino

Hearst Blasts RKO

Continued from page 2

sued Schaefer and RKO for breach of a producing contract entered into in July, 1939. It called for him to produce for RKO his play, 'I Solemnly Swear.' Schaefer was eliminated from the action by the court. It was tried before U. S. District Judge J. F. T. O'Connor.

17 Hearst Dailies

Virtually every one of the 17 Hearst dailies from California to New York played up the suit with major headlines and columns of space. In most of them, under ordinary circumstances, it wouldn't have rated a mention. In each case, heavily emphasized was the name of George J. Schaefer as a co-defendant.

In Milwaukee, for instance, Hearst's Sentinel put the story on page one with a display head reading: 'Charges That RKO Broke Contract.' Story laid great stress upon Ermolieff's importance and fame as a producer and gives his allegation (he sued for $1,042,000) much space. Yarn, in early edition of the Los Angeles (Hearst) Herald-Examiner carried a seven-column head.

Tactics in New York were slightly different. Hearst, in order to have pressure put on RKO to ditch 'Kane,' is said to have threatened to excoriate the entire film industry. A taste of what he meant was given in Sunday's N. Y. Mirror. Film critic Lee Mortimer, on what are understood on good authority to have been instructions from the top, devoted his whole column to lambasting Hollywood. The Ermolieff case was the hook on which the column hung.

In N. Y.

Head on Mortimer's pillar was, 'Hollywood Runaround Lashed in Verdict Against RKO.' Writer then gave two cases (without names, places or dates), one of an agent, one of a 'pretty girl,' who went to Hollywood and didn't get what they expected because they got the 'Hollywood Runaround.' Meaning of the latter term was not explained.

Finally, Mortimer got around to the RKO case, citing it as 'some of the practices that illustrate the Hollywood Runaround.' Paragraph of the plea of Ermolieff's attorney was quoted in which he claimed his client was taken advantage of 'by a great corporation' because he didn't understand the English language.

Official word from San Simeon to Hearst editors on handling of RKO, aside from the Ermolieff case, is that all of its pictures—except 'Kane'—are to be reviewed and given publicity as usual. Complete ban on any mention of RKO or on reviewing its films lasted only one week.

$40,000 in National Ads

While RKO delays in making a decision on its next move, it endangers $40,000 in national magazine advertising. Copy is set to break within the next 10 days, having been placed weeks ago to coincide with Kane's national release date, Feb. 28. Should the film be held up, the advertising becomes valueless.

Coming up are full pages in Look, Feb. 25; Time, Feb. 27; Newsweek, Feb. 27; Collier's, Feb. 28; Life, Feb. 28; and Saturday Evening Post, March 5.

Curious angle that has cropped up is whether Hearst's anger is directed at RKO or Welles. Matter becomes important to the 'boy' producer because he is readying a legit show for Broadway to open the week of March 17.

All New York papers carried press notices sent out by Welles' p.a., Herb Drake, on the show except Hearst's Mirror and Journal-American. Drake's queries on Monday (17) elicited the response that as far as drama departments knew there was no ban on Welles personally, and the only reason for the omission was that other dailies had carried mention of 'Native Son' earlier in the week. Unlike the situation with RKO, Drake will control the placing of advertising on 'Son,' and 'no mentions-no advertising' will be his policy, it is understood.

Meantime, Welles will continue holding rehearsals on 'Son' in the daytime and working on plans for his second film in the evenings. It is slated for the cameras April 1, producer flying to the Coast as soon as he gets his play on. Richard Baer, biz manager of his unit, came east last week for confabs, and Perry Ferguson, his art director, is expected in this week. Gregg Toland, Welles' cameraman, has gone to Mexico on a combined vacation-location exploratory trip. Most of the films, as yet untitled, will be shot in or around Mexico City. Welles and Dolores Del Rio are the only members of the cast so far named.

Film Reviews

Continued from page 16

SPRING MEETING

stage play. Sparkling dialog and characterizations have been retained in a vehicle rich in humorous, catchy drama of surefire value. With careful pruning, it should have no trouble doing trade beyond the home markets. 'Spring Meeting' appeals as a good investment to hold up the second half of bills in the U. S.

Comparison is natural in view of play's rather solid British acclaim and its fairly good Broadway showing. Uncredited writers have turned in a commendable script to Walter Mycroft, producer-director of 'Spring Meeting.' There's perhaps too much hokum in added scenes and producer's definite emphasis of the comedy, leaving drama side to be caught at will. But overall the action is at a steady gait and in nice atmosphere.

There'll be few to cavil with Basil Sydney's handling of the cagey butler, James, major-domo and guiding spirit in this family of Irish gentility. Sydney never misses possibilities role affords and marks up a performance of no uncertain merit. Paired with the testy maiden aunt Bijou, whose deep yen is a flutter on the geegees—played delightfully by Margaret Rutherford—these two provide more than a goodly share of picture's droll moments. Henry Edwards is always comfortable as the nickel-pinching Sir Richard.

In this tale of the financially distressed, foxy English madame, who wishes to tie her son, Toni, to the knight's marriageable elder daughter, there's a wealth of arresting moments. Enid Stamp-Taylor is an alluring madame; Michael Wilding successfully plays down role of Toni to mesh with the sprite mannerisms of Nova Pilbeam, younger daughter whose unexpected capture of him nearly throws awry mama's schemes. Sarah Churchill, daughter of the Prime Minister, leans to stiffness and is not particularly warm as the marriageable Joan. Hugh McDermott is a sound-working juve, suitably solid as the groom, Byrne.

Compliments of Mr. Flow

(FRENCH-MADE)

Hoffberg release of Vondas production. Features Fernand Gravet, Louis Jouvet; Edwige Feuillere. Directed by Robert Siodmak. Story by Henri Jeanson from novel by Gaston Leroux; musical direction, Michel Levine; camera, Gaveau, Bachelet and Thomas. At Filmarte, N. Y., starting Feb. 15, '41. Running time, 80 MINS.

Antonin Rose.................Fernand Gravet
Lady Helena Scarlett.......Edwige Feuillere
Durin (Mr. Flow)..............Louis Jouvet
Maki.............................Tajundo Maki
Merlow......................Vladimir Sokoloff

(In French; with English Titles)

Containing the usual quota of flaws found in pre-war vintage French productions, 'Compliments of Mr. Flow' nevertheless relates an exciting Parisian 'Mr. Raffles' yarn which grips auditors after the initial dull footage. Picture compares favorably with recent imports from France. Its boxoffice possibilities likely will be helped by the presence of Fernand Gravet (because of work in U. S. films) and Louis Jouvet in lead roles. Edwige Feuillere, originally of Comedie-Française, is a surprise entry as the lovable, fascinating heroine and much sought mistress of the story.

Picture originally was released as 'Mr. Flow,' and only recently had English titles added to it in N. Y., with evident pruning of several more daring episodes. Production is typical French bedroom farce, with the 'Raffles' tossed in as a motivation. It's one that might readily become boring with the expected trite translation into Americanese. Also it speaks much for Robert Siodmak's direction that so talkative a plot should move with such directness and so little lost motion.

Gentleman safe-cracker fable here depicts the slick criminal operating throughout most of film while in jail, with his accomplices carrying on for him. These schemers nearly trap the penniless lawyer, only being thwarted when the mistress of the mysterious Mr. Flow (also known as Durin) falls in love with the attorney and tosses former allegiances to the breezes. Some of the mystery elements are never logically explained, but this detracts little from the principal climax and ultimate victory of the youthful barrister in court and with his romance.

Gravet turns in an ingratiating performance as the attorney. Even so, his histrionics are topped by the veteran Louis Jouvet, cast as the mysterious 'Mr. Flow.' Miss Feuillere, as the crook's mistress, married to Lord Scarlett to get his riches, looks like a possibility for U. S. films.

Tsjundo Maki, a Japanese who speaks French, in the role of valet spy, and Vladimir Sokoloff, as one of Flow's stooges, head the support. Sokoloff has appeared in American pix, notably, of late, 'Comrade X.'

Flaws include several badly lighted scenes, feeble acting by part of supporting characters and poor sets which are partly offset by elaborate ones. Photography is uneven, ranging from original lens work to sloppy, haphazard camera coverage.

Wear.

THE FARMER'S WIFE

(BRITISH-MADE)

London, Jan. 24.

Pathe Pictures production and release. Stars Basil Sydney, Wilfrid Lawson. Directed by Norman Lee and Leslie Arliss. Adaptation from Eden Philpotts' stage play by Norman Lee, Leslie Arliss, J. E. Hunter; camera, Claude Friese-Greene. At Cambridge, London. Running time, 78 MINS.

Samuel Sweetland..............Basil Sydney
Churdles Ash...................Wilfrid Lawson
Petronell.........................Bunty Payne
Sibley..............................Patricia Roc
Richard Coaker...............Michael Wilding
George Smerdon...............Kenneth Griffith
Araminta.........................Nora Swinburne
Louisa Windeatt.................Betty Warren
Thirza Tapper.......................Viola Lyel
Tom Gurney.....................Edward Rigby
Henry Coaker.........A. Bromley Davenport
Valiant Dunnybrigg..........James Harcourt
P. C. Chave.........................Mark Daly
Susie...............................Davina Craig
Sergeant.........................Jimmy Godden

Lightweight fare, this modestly budgeted feature from Pathe is unlikely to make much stir at the box-office. Eden Philpotts' comedy has retained too much of its stage attire, receiving little decisive action to give it screen momentum and is held down throughout by an ultra talky script.

Comedy of the west countrymen unfolds around matrimonial bent of Samuel Sweetland, self-satisfied gentleman farmer who runs into a mess of trouble while enroute to selecting his lucky bride-to-be. He tries his proposing on three of the mesdames before deciding it is the faithful housekeeper who merits, above all, his constant affection. Stitched into this setup is some homeland comedy from Wilfrid Lawson as the farm laborer gifted with extreme wisdom in all matters from pigs to liquor and women. He does very well by the rather weak material. Same goes for Basil Sydney as Sweetland.

Picture has been well supplied with competent players who do all that's possible to help it along. Nora Swinburne is daintily demure as the housekeeper Araminta; Betty Warren, Viola Lyel and Enid Stamp-Taylor all turn in good performances as the three who were dropped on the matrimonial route. It's a woman's picture. Some romance is injected via bits of Michael Wilding and Patricia Roc, mainly pulled in when adult proceedings show signs of dragging, which they frequently do.

Camera of Frieze Green has achieved some nice effects in landscape and exteriors.

New Faces

Continued from page 3

der and Sellwyn Myers. Play drew mixed notices, but picked up late in the week, indicating it has a fair chance.

The dream of another young actress was fulfilled last week when Dorothy McGuire appeared in the leading part of 'Claudia,' Booth, which easily drew top notices in recent weeks and is touted a success. She understudied in 'Our Town' about two years ago and took over during the latter part of the engagement, also being a principal last season in the short-lived 'Medicine Show.'

Just previously another youngster appeared in a principal assignment, Nancy Coleman being well rewarded by reviewers for her playing in 'Liberty Jones,' Shubert. That play drew doubtful notices. 'Lady in the Dark,' too, has players of the younger school, Danny Kaye in particular. It's his major click on the main stem, although he attracted attention in night clubs and summer theatres. Also in 'Lady' is MacDonald Carey, who previously was in radio and stock.

First of the kids to land this season is Thelma Schnee, in 'The Corn Is Green,' National. Adele Longmire, in 'Old Acquaintance,' Morosco, is a rising young actress. Though she was known in Hollywood, Jo Ann Sayers, in 'My Sister Eileen,' is playing her first major stage assignment. Youngsters in 'The Mechanical Heart,' due at the Miller next week, are Dean Harrens and Claire Niesen, latter having been in 'Cue for Passion,' which was yanked pronto. In 'Charley's Aunt' there is Katherine Wiman, young daughter of Dwight Deere Wiman.

Regardless of whether 'Frying Pan' makes the grade on Broadway, play should eventually reap a fortune. As it calls for a cast of young players, it figures to be in heavy demand for summer stock, amateur presentations and college showings.

FILM 'SWAMP WATER'

Hollywood, Feb. 18.

Dudley Nichols has been assigned by 20th-Fox to write the screenplay of 'Swamp Water.'

Yarn by Vereen Bell ran in the Satevepost.

AMERICA'S BOXOFFICES WILL CHEER

the new, charmingly "misbehaving"

Deanna DURBIN

in

Nice Girl?

with her grandest cast

FRANCHOT TONE
WALTER BRENNAN
ROBERT STACK
ROBERT BENCHLEY
HELEN BRODERICK

Ann Gillis
Anne Gwynne
Elisabeth Risdon
Nana Bryant

Screen Play by Richard Connell and Gladys Lehman
Based on the play "Nice Girl" by Phyllis Duganne

Directed by
WILLIAM A. SEITER

A JOE PASTERNAK Production

A UNIVERSAL PICTURE

To the millions who loved her as the impish little 'smart girl' . . . now add the millions more who will adore her as the screen's most beautiful, most talented actress . . . in a romantic role that makes her sparkle like new wine . . . !

NATIONAL RELEASE FEBRUARY 21

Lack of Enough New Pix Is Soundies' Biggest Problem at the Moment

Milwaukee, Feb. 18.

Soundies have their own problems, but their biggest immediate worry is lack of product, patrons demanding more frequent changes of shows than producers are able to give them. With 100 Panoram outfits spotted choice locations about Milwaukee and 200 more scattered over Wisconsi , shows are now being changed once a week and clicking beyond expectations, according to Vic Manhardt, Inc., the state distributor.

However, all the spots having Panorams have a large regular clientele and after a couple days most of the patrons who go for the soundies have seen the shows, and wait impatiently for change day to come around the following week. The new class of exhibs now wants production stepped up so they can have changes two or three times a week and thus get a much bigger take.

Globe Productions, Inc. James Roosevelt president, has promised all possible cooperation and the hope they will be able to provide changes at least twice a week in the near future. Most of the exhibs showing juke pictures are tavern and nitery ops and have their own brand of showmanship. While some advertise the soundies in the newspapers, others simple plaster across their windows announcing:

Leonard's Ambish

Arthur Leonard, of Cinemasters, outfit making briefies for the Roosevelt-Mills film jukeboxes, left for the Coast Sunday (16) to confab on a deal to make a feature for major release. It will possibly be shot in Florida.

Leonard will also huddle with Gordon Mills, head of the coin machine company, on further shorts. Cinemasters, in which Leonard is partnered with Dick Hyland, recently completed three reels, comprising 24 subjects.

Legislation Ideas

Detroit, Feb. 18.

Advised that 'nickel movie machines will soon appear in Detroit by the thousands,' the Common Council here ordered Nathaniel H. Goldstick, assistant corporation counsel, to draft a city ordinance regulating them. Previously the council had made a ruling that all films used in the juke machines would have to pass through the same police censorship which governs the regular movies here.

Thomas McGuire, representing the Co-operative Theatres of Michigan, told the Council that about 10,000 of the machines would be installed in Detroit within the next two years.

To License Minn. Jukers

Minneapolis, Feb. 18.

Under provisions of a bill introduced in the state legislature slot machines would be legalized in Minnesota.

A license fee of at least $25 annually is provided.

EDUCATIONAL'S TRUSTEE SCORES ON APPEAL

The Circuit Court of Appeals in N.Y. unanimously affirmed a decision of Federal Judge Edward A. Conger and ruled that James A. Davidson is rightfully trustee in bankruptcy of Educational Pictures, Inc. Application to remove Davidson and appoint Sidney Abrams had been brought by Harry G. Fromberg, trustee of Grand National Pictures, Inc.

Fromberg claimed that referee John E. Joyce, and later Judge Conger, had erred in disallowing a claim by Grand National against Educational for $966,745, in ruling that the claim was an unliquidated one, and as such not permissable to vote if for the trustee. Had GN been able to vote the claim it would have been able to elect Davidson. Fromberg had claimed that Davidson's former associations with Edward Alperson, former official of GN, would prevent Davidson from rendering fair opinions, but Judge Conger and referee Joyce overruled this. The Circuit court took Judge Conger's opinion as its own, not bothering to rewrite any part of it.

Claims Robeson's Suit Is 'Communist Plot'

San Francisco, Feb. 18.

Answer filed to Paul Robeson's race discrimination suit against Vanessi's, North Beach eatery, charges the whole thing is 'Communist plot.' Attorney Walter McGovern's answer in behalf of Vanessi's was careful not to classify Robeson himself as a communist, but claimed that the eight other plaintiffs are members 'of a secret political organization known as the Communist party of the United States.'

The disturbance over which Robeson and the others are suing for $22,500 is described as an effort 'to create an antagonism and animosities between members of white and Negro races.'

Cummings Quits Tri-States For Own Coast Chain

Omaha, Feb. 18.

Evert R. Cummings, manager Tri-states Theatre Corp. here for the past 12 years, has resigned to head a small chain of houses he recently acquired on the West Coast. Cummings' resignation, officially announced by G. Ralph Branton, Des Moines, general manager of Tri-States, becomes effective Saturday (22).

Joseph Kinsky, head of Eastern Iowa district of Tri-states for past seven years, headquartering in Davenport, succeeds Cummings in Omaha.

Cummings' association with A. H. Blank of Tri-States dates back to 1926. When Blank pooled his houses with Paramount-Publix in 1928, Cummings took the Nebraska territory. He also managed road-shows at one time. Cummings personally arranged two of Omaha's biggest premieres, 'Boys Town' and 'Union Pacific.'

Kinsky, who replaces Cummings, was with the Fox Midwest Circuit in Chicago prior to joining Tri-States.

Todd Now a Theatre Op; Takes Over Oriental, Chicago, From J. L.&S.

Chicago, Feb. 18.

Michael Todd is now a theatre operator, taking over the Oriental here, following the exit of Jones, Linick & Schaefer, who have failed to meet their rental payments.

Property owners have been stringing along with J. L. & S. for some time, feeling that they should be given full opportunity to recoup any losses J. L. &. S. may have taken in operating the house. But this week J. L. &. S. steps out and Todd goes into the spot as of Friday (21). Todd continues operating his highly successful cabaret here.

Todd will operate the Oriental on a deal set with Harold Costello, of the Iroquois Management Corp., and Robert O. Farrell, attorney and representative of the estate controlling the Oriental theatre property. Policy for the time being will be pictures and stage shows at 28c and 44c, but Todd is planning several innovations shortly, among them a 'crazy show.'

At present the house is running subsequent run films, but will switch to first-runs as soon as possible and feasible, particularly if the new motion picture industry decree breaks down the block booking wall sufficiently to permit open bidding on small groups of pictures.

House will be booked by Eddie Sherman in New York. Billy Diamond had been buying the shows in Chi for J. L. & S.

Back in the Mob

Hollywood, Feb. 18.

Rug cutters, once rated as specialty dancers or stunters in the film industry, have become so numerous that they have ceased to be a class apart. Today the jitterbug is merely a dress extra.

Warners casually hired 75 of them for 'Miss Wheelwright Discovers America.'

CLERICS ACT ON N. Y. SUNDAY VIOLATIONS

Because of sporadic violations of the Sunday opening law New York, various picture houses in the downtown N. Y. (Times Square) section are faced with the threat of ministerial factions which previously sought action through other channels but now are said to be planning to go direct to Mayor F. H. LaGuardia with their complaint.

Representatives of the church are known to have been checking the downtown film houses on Sundays right along. They also have been keeping an eye on neighborhoods but understood that nowhere outside of the Times Sq. area are theatres violating the law.

Regulations call for fines, loss of license or other penalties where theatres are found guilty of opening on Sunday before 12 o'clock noon. Fear among showmen who do not violate the law is that if others continue to ignore warnings, the Sunday opening may be put back to 2 p.m. as it was about 20 years ago.

Pointed out also, in connection with the evolution of operating policies of recent years, is that most theatres give midnight shows on Saturdays and thus are playing into the early Sunday hours. Strict letter of the law is that they must not give shows until 12 noon.

Sunday Pix Voted In by 12 Ballots

Pittsburgh, Feb. 18.

Sunday films in nearby Greensburg won by 12 votes in a recount completed over the weekend before Judge J. Hilary Keenan. The issue was previously lost at the regular November election by 57 votes in the official count. During the recount, the court ruled out 139 ballots due to improper markings. These infractions included voters writing 'yes' or 'no' instead of the prescribed X-mark; erasures; markings in ink, and failure to tear off ballot number.

The final tally showed 3,616 in favor of Sunday shows and 3,604 against.

Dr. Forney In Again

Philadelphia, Feb. 18.

Dr. William B. Forney, secretary of the Lord's Day Alliance, militant blue nose outfit, began another drive to tighten up the Blue Laws with several bills to be presented at present session of Legislature.

Dr. Forney said he had the backing of rural legislators for an amendment to the Sunday film law to prohibit children under 15 to attend Sabbath showings unless accompanied by their parents or an adult.

Another bill would raise fines of Sunday Blue Law violators from $4 to maximums of $100.

Loew-Lewin's 'Fingal's Cave' as Film Title

'Fingal's Cave' has been registered as a picture label by the David Loew-Albert Lewin producing unit releasing through United Artists. Unusual title derives from the name of a famed cave in Northern Scotland. There was a long lyric poem written about it and Mendelssohn used it as basis for a musical composition.

Loew and Lewin, who are now in New York awaiting the opening of their 'So Ends Our Night,' also recently staked out a claim to 'The History of Tom Jones, a Foundling,' novel written many years ago. Title had previously been registered by Edward Small in January, 1940, by Walt Disney in February, 1940, and by Principal Productions in March, 1940. The producers return to Hollywood this week.

U.S. Army Has Added 50 to Its 85 Cinemas Under Defense Programs

Army's high-speed building program has added almost 50 film theatres since the beginning of this year to the 85 which had been operated before national defense measures became effective. Except for a couple 1,000-seaters at large posts, theatres are almost all built on the same pattern with a capacity of about 350. Erection of a recreation building at each camp takes precedence over all other construction.

Biggest new theatre is a 1,038-seater at Fort Dix, N. J., which was unveiled early this month. It replaces a large tent that was cold and unsatisfactory for film shows. An identical mate is near the finish line at the same camp and will be substituted for the St. George Club, World War leftover which was impressed into temporary use.

Other recent openings were a 350-capacity house at Fort Ontario, Oswego, N. Y., where the Negro regiment from Harlem is headquartered; a 150-seat auditorium in a building at the Quartermasters' School, Schuylkill Arsenal, Philadelphia; 350-seater at Westover Field, Chicopee Falls, Mass., and another 350-seater at Camp Upton, Yaphank, L. I.

Defense Booms Port,

Portland, Me., Feb. 18.

Defense boom promised for this area by recent start in construction at nearby South Portland of shipbuilding plant with contracts to build upward of 60 additions to U. S. and British merchants fleets was reflected last week in announcements of new theatre construction.

Leon P. Gorman, Portland nabe operator, is razing his three-year-old Cape theatre at South Portland, replacing with a 1,000-seater which will occupy adjoining lot. Present house, which seats 400, considered too small for expected increases in trafic. New theatre will continue policy of subsequent runs.

R. E. Snyder Theatrical Enterprises, operators of Strand and Empire here, rushing new suburban first-run house to completion, a 500-seater to be dubbed the Cinema. Latter will feature two unreelings daily, policy borrowed from a successful rural flimers in district.

DAYLIGHT BATTLE

Milwaukee and Mpls. Fight Moves For Time Revamp

Milwaukee, Feb. 18.

Theatre ops, with the backing of the state's agricultural interests, have won the first round in their fight to prevent the re-establishment of daylight saving in Wisconsin. The state senate committee on local and state government has recommended that the Murray bill, to legalize daylight saving under local option, be killed.

Further fight is expected on the floor before the proposed legislation is finally disposed of.

Fight Minn. Daylite

Minneapolis, Feb. 18.

Northwest Allied, independent exhibitors' organization, will oppose a bill introduced in the state legislature providing for daylight saving in the state's three largest cities, Minneapolis, St. Paul and Duluth, during the summer months. It's claimed that the proposal would injure theatre business.

Hakim Sues Over U. S. Rights to 'Baker's Wife'

Raphael Hakim, owner of the rights to the picture, 'The Baker's Wife,' filed suit in N. Y. federal court yesterday (Tues.) seeking an injunction, accounting of profits and damages against The Bakers Wife, Inc., claiming the defendant, which was granted exclusive U. S. distribution rights to the picture, has breached its contract. Plaintiff attempted to terminate the contract Feb. 1, but the defendant has refused to agree to the termination.

Plaintiff was to receive 50% of the receipts after deductions for expenses and was to receive a weekly accounting. Among the numerous charges are that extra prints were ordered and charged to plaintiff without permission, the weekly accounting was not forthcoming, and that the defendant set up deal with the Atlas Theatres, Inc., operators of the World theatre (N. Y.) to terminate the run of the picture without consulting the plaintiff.

Mpls. Exchange Heads Deny Pop. Shifting Away

Minneapolis, Feb. 18.

Local branch managers dispute the contention of Northwest Allied that exhibitors in the territory are entitled to an immediate downward adjustment in film rentals because of an alleged shift of population away from this territory into other sections, thus affecting theatre patronage adversely. The shift, it's claimed, is due to the fact that industrial centers in the east and south are attracting northwest workers seeking employment and that the Government defense program is taking away National Guardsmen and conscripts.

Fred Strom, Northwest Allied executive secretary, up against a stone wall, charges that the film companies are 'evading the issue.' On the other hand, Ben Blotcky and W. H. Workman, Paramount and Metro branch managers, respectively, deny there is any 'problem.' They have refused flatly to recognize any need of contract revisions generally or any new condition affecting the territory as a whole. However, they say that where it can be shown in specific instances that hardships have been created the cases will be considered individually.

JOE PHILIPSON INTO PAR DISTRIBUTION

On his return from New Orleans in two or three weeks, Joe Philipson is slated to join the distribution department of Paramount in an executive capacity at the home office. He left for the South yesterday (Tues.), accompanied by Mrs. Philipson.

Philipson was to have hooked to the Par sales department in January but has been delayed in making the move through clearing up various matters for the J. H. Cooper-Par circuit of theatres for which he has been in charge of film buying and accounting for many years.

Leon Savell, formerly with Kincey-Wilby in Atlanta, shifts to Lincoln on accounting for Cooper, while J. H. Cooper himself in future will supervise all buying. Savell is now at the Par h.o.

Max Cohen Stricken

Max Cohen, New York independent distributor and head of N. Y. State Allied, was brought back from Florida Monday (17) suffering from serious heart ailment, and confined to his home.

Cohen had gone to Miami to recuperate from a heart attack, but his conidtion became worse.

Montreal Would Ease Tabu

Montreal, Feb. 18.

Another effort to change the law of this province, banning minors under 16 from attending motion picture theatres, is again under way but this time sponsored by organizations other than the theatres concerned, which gives it better chance of success.

Marcel Francq, secretary of the Provincial Federation of Labor, last week organized a delegation to meet Premier Adelard Godbout, of Quebec Province, and his cabinet at Quebec City.

The law, banning minors under 16 from picture shows even if accompanied by parents or guardians, has been in force here since the burning of the Laurier-Palace theatre with loss of 70 lives, mostly children, in January, 1929. Of late years there has been some modification of the ban in the case of patriotic and fairy tale pix.

U. S. Pix Stars' Goodwill

Continued from page 1

to the committee, is a trip by Alice Faye to Brazil for the preem of 'The Road to Rio.' Contemplated by Paramount is a long p.a. tour by Dorothy Lamour and possibly a series of lectures by Cecil B. DeMille.

Insure Stars' Safety

Latinos are so nuts about Hollywood personalities they actually endanger them—a point on which all U.S. majors wanted assurance before agreeing to send anyone south. The various governments have promised more than adequate police protection to prevent repetition of past visits when clothes were actually torn off players by admiring Latin Americans.

Meantime, John Hay (Jock) Whitney's Motion Picture Division of the Rockefeller organization has been active on other angles. One of the most important things it claims to have accomplished was convincing 20th-Fox to spend $40,000 in re-shooting scenes on 'Down Argentine Way' for the South American market. Film created a furor down there, particularly in Argentina, on claims that it inaccuracly presented Latin Americans.

In this regard, Whitney's group feels it has accomplished another bell-ringer in getting a man assigned to Joe Breen's division of the Hays office in Hollywood. His duty is to cooperate with the producers to insure authenticity in films involving Central and South America and to advise on language and historical problems. Whitney has also convinced larger studios to appoint experts of their own to concentrate on Latin American production aspects.

More South American Pix

Number of films on South American subjects are now in production under the watchdog eyes of these experts. With assurance that there will be nothing the central and southern hemisphefites can squawk about, Whitney's group is anxiously waiting to gauge reception and results of these films. They include Metro's 'Life of Simon Bolivar,' with Robert Taylor; two 20th-Fox productions, 'Road to Rio,' with Alice Faye and Carmen Miranda, and 'Blood and Sand,' with Tyrone Power; RKO's 'They Met in Argentina,' which will introduce a real Argentine star, Alberto Vila; and Paramount's 'Ruralea,' a Mexican story on which it is scripting.

Another plan on which the Whitney group is working, but on which little actual progress has been made, is to ship studio crews to South America to film features about the territory right on the native locale. Special committee has been formed to investigate the possibilities.

Newsreels Also

Increased newsreel coverage of South American subjects and of U. S. subjects which will appeal to S. A. is another of Whitney's aims. This is probably one of the most advanced angles of the entire good will plan. Metro's News of the Day has already shipped Norman Alley south on a scouting tour to line up possible newsreel correspondents and subjects. Paramount is preparing to do the same thing, while Pathe now has a crew in Rio preparing to film the annual pre-lenten carnival. Under disscussion also is a pooling arrangement for coverage of S. A. by the five newsreels.

Pathe, spurred by the Whitney group, is also making a series of sports shorts in Latin America. First one will be released by RKO late this month. Called 'Caballero College,' it is backgrounded against the Chilean Cavalry School in Santiago and features trick riding by native army officers. Crew is now in Buenos Aires making the second short in the series.

Executive film committee working under Whitney is headed by Y. Frank Freeman of Paramount, president of the Association of Motion Picture Producers. Others in this group are Edward Arnold, Sam Briskin, Frank Capra, Sheridan Gibney, Samuel Goldwyn, Louis B. Mayer, George Schaefer, David O. Selznick, Walter Wanger, Cliff Work and Harry M. Warner.

Sub-committees are:

South American Film Facilities—Sam Briskin, chairman; E. J. Mannix, Sol Wurtzel, Major Nathan Levinson, Keith Glennan, Sol Lesser, J. D. McDonough and William Koenig.

Academy of Motion Picture Arts and Sciences: Walter Wanger, chairman; Frank Capra, Major Nathan Levinson, James Stewart and Robert Riskin.

Short Subjects—Gunther Lessing, chairman; Jack Chertok, Gordon Hollingshead and Hugh McCollum.

Art Direction—Cedric Gibbons, chairman; Richard Day, William Cameron Menzies and Jack Otterson.

Story Material—Sheridan Gibney, chairman; Kenneth MacKenna, Milton Krims and Kenneth McGowan.

ISLEY'S TEXAS BLDG. PROGRAM

Brownwood, Texas, Feb. 18.

Phil R. Isley is rapidly constructing new houses throughout the state. Several months ago he opened his new Plaza here, last week construction got under way for another house here. In Mineral Wells he has started construction of a 1,000-seater. On Feb. 6 he opened the Bobby Walker in Abilene, named after his grandson.

Paris, Texas, Bldg. Boomlet

Paris, Texas, Feb. 18.

A mild theatre building boom is on here with two new houses expected to open here within the next two weeks. One will be owned and operated by W. F. Shorthose, local business man who is remodeling a store building here. Interstate has started work on its fourth theatre here.

R&R.-United's Trio

Corpus Christi, Texas, Feb. 18.

Robb & Rowley-United circuit constructing three new houses here to be added to the list of eight they already operate here. House will range from an 'A' house to a nabe and one for colored patrons. Boom is due to the Government establishing a naval base in this port town. Bruce Collins is resident partner of the Corpus Christi Theatres, Inc.

Last week, Sam Stokes took over the duties as city manager of the group's holdings, relieving Collins who will devote his time to the R&R. real estate holdings.

PAR'S FAST SHORTS

3 Benchleys in 8 Days and Quiz Kids in 24 Hours

New record for speedy production was established by Paramount's short feature producing division in the east on both the Quiz Kids and Robert Benchley pictures. Three Benchley shorts were finished within eight days, this rounding out the full schedule for the 1940-41 season.

By using four cameras Par was able to complete the Quiz Kids short within 24 hours. Fact that the youngsters were accustomed to microphones because of their radio program eliminated any 'fluffs' necessitating retakes. Understood that sufficient material was photographed to incorporate into a second film if the picture company wants to release another short.

Starr 'Out of Danger'

Herman Starr, New Jersey district manager for Skouras circuit, is 'out of danger,' it was said at Murray Hill Sanatorium, N. Y., Monday (17) following an emergency operation last Thursday.

Starr suffered a ruptured appendix following his return home from his New York office on Thursday and hovered in a critical condition for almost 48 hours. He's not to be confused with the Warner Bros.' v.p.

$15,000 Theatre Fire

Lyons, Ga., Feb. 18.

Loss estimated at $15,000 ensued when fire broke out Friday (15) in Pal theatre, town's oniest and spread to Plaza hotel and cafe and damaged Lyons print shop. Blaze threatened whole town until fire deparment from nearby Vidalia showed up to help local smokeaters bring flames under control.

ROZ OPPOSITE GABLE

Hollywood, Feb. 18.

Rosalind Russell steps into lead opposite Clark Gable in 'The Uniform' at Metro. She replaces Hedy Lamarr, reported having several sessions with her dentist.

This will be Miss Russell's first M-G picture since 'The Women,' although she is under contract there.

Inside Stuff—Pictures

Major company foreign departments have been informed that under the new agreement with Great Britain, no frozen coin held in the British Isles can be used for theatre investments without receiving the approval of the British government. Under the old frozen-coin pact, no such approval was necessary for theatre investments, although none was made in the period ending last Oct. 31.

Consensus of opinion among foreign officials in N. Y. in touch with the British situation is that such theatre investments, however, are unlikely just now by American film companies. U. S. companies never have been interested in theatre properties excepting in the largest key cities, and these have been targets for heaviest Nazi bombings recently.

Job of eastern story editor for 20th-Fox, which has been eyed wishfully from many quarters since the death of Franklyn Underwood several months ago, remains unfilled. Joseph M. Schenck, 20th board chairman, declared last week that the company has so far been unable to find the man it wants for the job.

Schenck reiterated the statement made shortly after Underwood's death by Joe Moskowitz, eastern studio rep, that the company will wait as long as necessary to fill the story editorship to insure getting exactly the type person desired.

Victor Mature, who has the lead opposite Gertrude Lawrence in 'Lady in the Dark,' Broadway legiter, will be forced to leave the show June 1 when his pact and options expire.

Player is under contract to Hal Roach, who anticipates requiring his service for pictures following the 'Lady' engagement, his New York office declared.

Special new background score for 'Down Argentine Way' made up entirely of Argentine music, is being worked out by 20th-Fox, following numerous squawks from Latin America over that picture. Manuel Pena Rodriques, film critic on La Nacion, currently in Hollywood, believes picture will not be shown in the Argentine, as the use of comedy types to represent Argentine natives will offend national dignity.

Paramount figures to withhold production on 'For Whom the Bell Tolls' at least until 1942, by which time studio hopes the 1,000,000 sales mark will have been reached by the Hemingway novel. More than 560,000 copies already have been sold, with figure mounting by several thousand every week.

Preview policy in Hollywood of major studios remains confusing to daily, tradepaper and magazine reviewers. Press departments set previews two or three weeks in advance, get the ganderers all set to attend, then have to cancel them at the last moment as final dubbing, editing or other work is not completed in time.

RKO wanted to borrow Olivia de Havilland from Warners and the Burbank lot said yes in return for Ginger Rogers in one picture. Metro's request for Miss de Havilland was met with a demand for the loan of James Stewart and Myrna Loy for one film. No deal to date.

Warners has decided to tack a novel finale onto 'Strawberry Blonde,' already previewed on both coasts. New ending is to be a combination exit march and community sing. Picture will be nationally released Feb. 22.

Pitt BBB Appeals to Theatre Owners to Drop Banko, Etc.

Pittsburgh, Feb. 18.

The Better Business Bureau of Pittsburgh last week asked theatre owners of Allegheny County to 'take the pledge' and voluntarily abandon Bank Night. In a letter mailed to every exhibitor in the district, G. H. Dennison, manager of the BBB, stated that Pittsburgh is now the only major city in the state in which the giveaway type of thentre promotion still prevails, despite the fact that the Pennsylvania Superior Court has already ruled that Bank Night is a lottery and therefore illegal,

'Unfortunately,' Dennison wrote to the 132 theatre owners, 'the continued operation of this lottery has had the effect of encouraging widespread promotion of other types of commercial lotteries, including bingo and similar forms of gambling,' and then added, 'many law-abiding business men, theatre operators and retailers have, therefore, been placed at competitive disadvantage by those who resort to illegal devices to attract patronage and trade.'

The letter concluded that 'another inevitable by-product of this condition is that the substitution of 'chance' for 'merit' in modern merchandising has encouraged lower standards of merchandise and service. These things contrary to the best interests of the buying public.'

Dennison pointed out that the U.S. Postoffice Dept., in a fraud order issued in 1938, declared Bank Night to be a lottery. The order was issued in Denver against Affiliated Enterprises, Inc., originators of the plan. Last year, he said, the State Superior Court also declared Bank Night a lottery. The case was appealed to the State supreme court, which rejected it. It had been taken to the higher court from nearby Beaver County, where prosecutions were brought against the system.

While other major cities the theatre giveaways have since been dropped, they have continued unabated in the Pittsburgh sector, and the BBB stated the letters were sent to county exhibitors as an appeal to their sense of fair play and also 'in the belief that those theatres now operating lotteries will not desire to violate the Pennsylvania Lottery Law.'

Would Kill Church Bingo

Detroit, Feb. 18.

It looks as if—legally—Detroit's picture houses would have nothing to fear in the future from church bingo. The judiciary committee of the lower house of the State Legislature has taken action to kill the bill which would legalize such games for churches and lodges.

However, that's just the picture on the surface. First, the theatre had hopes the legalizing of bingo by the State would include them. They weren't cut in when the present bill was proposed. Now, with the Legislature refusing to OK the church bingo, you would figure they would be happy.

They aren't.

For in turning down the bill the judiciary committee hinted they were willing to let such matters be handled by local control. And in Detroit, most of the State's bigger cities, that means, legal or not, plenty of church bingo. Here the competition has been terrific, with some churches tossing off prizes of $500 or more a night and sometimes putting on two bingo parties a week with no trouble with the 'local control.' In fact, nabes up against that kind of competition, have used slough off bills when the neighborhood church bingo parties were playing to S.R.O.

Ky. Frowns on Banko

Louisville, Feb. 18.

Assistant Attorney General Jesse K. Lewis Wednesday (12) brought into the open again the question of bank night, bingo, and other similar money-raising projects, in a letter to a member of the State Legislature. Lewis declared that 'bank night, bingo and other similar schemes are violative of the law of Kentucky,' and that 'it was the statutory duty of local law enforcement officers to cause the proper criminal proceedings to be made against persons operating bank nights or bingo.'

Chief of Police E. P. Callahan of Louisville Thursday (13) refused to discuss whether he will enforce the law against bingo games in the city. Roy Murphy, secretary of the Safety Department, said the only bingos operating in Louisville are for charitable purposes, principally by churches and other institutions which have been using them as revenue raisers for years. The policy of permitting old, established institutions to run bingos was adopted here about five years ago. Bank nights are held by neighborhood theatres in the city. The policy of tolerance against these also was adopted about the same time.

New York Theatres

LOEW'S State TIMES SQ. Starts Thur., Feb. 20
Last Times Wed. Abbott and Costello "BUCK PRIVATES"
In Person Bella BAKER Hal LeROY Herbie KAY
"THE PHILADELPHIA STORY"
In Person Lou HOLTZ Woody HERMAN Lois LANE Arline JUDGE

PARAMOUNT
"YOU'RE THE ONE". Orrin Tucker Bonnie Baker
IN PERSON Ella Fitzgerald and Her Band
Midnite Screen Shows

Starts Thursday Hilarious Hit Capitol Broadway at 51st Street
The MARX BROS. "GO WEST"
A Metro-Goldwyn-Mayer Picture

RADIO CITY MUSIC HALL
"MR. AND MRS. SMITH"
Spectacular Stage Productions

RKO PALACE B'WAY & 47th ST.
GINGER ROGERS KITTY FOYLE
and 6 Lessons From Madame La Zonga
Lupe VELEZ Leon ERROL

BEG. FRIDAY, FEB. 21
James CAGNEY Olivia DeHAVILLAND
in the new Warner Bros. hit
"Strawberry Blonde"
with RITA HAYWORTH
—IN PERSON—
RAYMOND SCOTT and His Orchestra
STRAND B'way & 47th St.

WALT DISNEY'S FANTASIA
with STOKOWSKI conducting the miracle tonic of RCA Fantasound
Children half-price at all times
BROADWAY 53 St. & B'way Circle 6-5252

CHAS. BOYER MARGARET SULLAVAN
—in—
"BACK STREET"
A Universal Picture
UNITED ARTISTS RIVOLI Broadway at 49th St.
Doors Open 9:30 A.M. MIDNITE SHOWS

802 Sticks to No-Paid Admish Rule, So Bobby Byrne Almost Fails To Broadcast for Raleigh Cigarets

Regulation of New York Local 802 of the American Federation of Musicians created a thoroughly mixed up comedy of errors last week when Bobby Byrne's band figured on doing its Friday night Raleigh radio commmercial from the stage of the Flatbush theatre, Brooklyn, where it's playing. An 802 rule forbids any commercial from originating at a point where an admission is charged. Apparently everyone concerned forgot, or didn't know of, the rule until a day or two before the broadcast. Situation wound up, via various misCues, in the airing almost not occurring at all.

Brandt Theatres, operators of the Flatbush, had advertised the broadcast widely and with General Amusement Corp., Byrne's bookers, and B.B.D.&O., the Raleigh agency, fought until the last minute to get 802's sanction, without success. Near riot ensued at the theatre Friday (14) when the advertised broadcast was not forthcoming and also because Byrne had to skip one show in order to get to NBC's studios in New York and back. Brandt docked the band's salary $500 for refunds and because the house got only one audience instead of two. People coming in for the regular 8 p.m. show stayed over to catch the last. Normally they would have cleared out and another audience seated. Byrne will lose the $500 next week, too, at the Windsor theatre, Bronx, but saves $250 each week for line charges he would have had to pay. The Windsor is also a Brandt house.

From NBC's angle the muddle resulted in a hurry up call to friends, relatives, etc., of everyone concerned to make up a studio audience. Net had figured the broadcast for the theatre and hadn't bothered to print tickets or make provision for studio watchers.

More Troubles

Still another topper occurred when the band reached the studio. It had a police squad escorting its bus from Brooklyn to N. Y. It arrived safely and temporarily dismissed the bus—then got into the studio to find that the music for the broadcast had been left in the car. Hurry-up call to cops to pick up the vehicle and bring it back was fruitless, but in the meantime the jalopy's driver had spotted the music. He brought it back three minutes before the show was to go on the air. NBC had a pianist all set to substitute for Byrne.

Then after the show was over the cops called to say they had heard the broadcast; so the music must have been found. They had been unable to pick up the bus—practically a house on wheels—in New York's slow moving traffic.

As if that wasn't enough, Larry Clinton, who did a broadcast for Sensation ciggies from the Flatbush a year or so ago, will be called before 802 to explain why. In trying to get an okay for Byrne the union was told Clinton had done a broadcast from the same theatre. Now he's in the soup for apparently unknowingly violating the rule.

Peter Madle (girl) who has been on KOIN Consumer News program for past six years taking extended vacation in east studying merchandising methods. KOIN is in Portland, Ore.

It's a Surprise

Philadelphia, Feb. 18.

Fire yesterday (Monday), wrecked the private office of Leon Levy, president of WCAU. Can of turpentine used by painters to redecorate the suite exploded and burst into flames. Levy's suite was a total shambles.

The Doc left for Florida on Saturday and the staff wanted to surprise him with a refurnished office on his return.

Theatre Authority Looks Into Unsanctioned Benefit By Detroit AFRAites

Detroit, Feb. 11.

Checking reports that AFRA members here had worked gratis and without permission at the President's Birthday Ball, Max Halperin, general western representative of Theatre Authority, was in Detroit last week conducting an investigation. He also was making arrangements to appoint a Detroit representative.

Following the check here, understanding was that he would file charges with the New York AFRA against the performers who had failed to get permission for the free work before the extensive party given in the Hotel Book-Cadillac.

FLANTER SETTLES WOV ACTION OUT OF COURT

Suit of Adrian James Flanter, former adviser on sales promotion for WOV, New York, was discontinued and settled out of the N. Y. supreme court Thursday (13). Suit sought damages of $4,159 from WOV.

Flanter was employed Jan. 15, 1940, to Dec. 31, 1940, at a salary of $4,264, plus 15% of the gross on any accounts brought in without the aid of an advertising agency, and 7½% of those brought in with an agency. He was discharged in April. During the period he brought in $1,648 in accounts, he claimed.

Behrman, Terre Haute, Boss of WISH, Indpls.

Terre Haute, Ind., Feb. 18.

William W. Behrman, vice-president and general manager of Radio Station WBOW, has resigned to accept the managership of the new radio station, WISH, at Indianapolis. Expected to start operations about May 1, 1941.

WISH will operate with 5,000 watts on 1280 kilocycles. Behrman will move to Indianapolis about April 1, and will complete the personnel of WISH at that time.

Behrman came to Terre Haute from Evansville, where he started at WCBF in 1929. R. E. Bausman, of WRAL, Raleigh, N. C., has recently been appointed commercial manager by Behrman.

For the present there will be no successor to Behrman at WBOW.

Johnson & Johnson Saturday Prospect

Johnson & Johnson may buy a Saturday morning quarter-hour period on CBS. Young & Rubicam is handling the details.

Appropriations allows for a show costing around $700 a week.

MUTUAL NEWS TO BE HOURLY

Mutual will alter its regular program schedule, beginning next week, to air a news shot every hour on the hour, either as a five-minute summary or as one of the network's regular commentator programs. Only exceptions will be at 1 and 4 p.m. Network has a group of serials slated to start at the former spot and the program summary is heard in the latter. Five-minute news shots will be moved forward to 12:55 and 3:55 in those instances.

New policy is another outgrowth of the recent meeting of program directors of the various affiliates.

FRANCES SWING WRITING WKRC SERIAL FOR MBS

Cincinnati, Feb. 18.

First dramatic serial to be originated by WKRC for feeding to the Mutual web will start Feb. 24, Mondays through Saturdays from 1:15 to 1:30 p.m., EST. It is a domestic opus titled 'Edith Adams' Future,' authored by Frances Swing, a newcomer on the Times-Star station.

Production will be by Brad Simpson, WKRC program chief. Cast includes Della Orton, Joe Harding, Dolores Doll, Mary Louise Lantz and Jimmie Scribner.

WKRC has also arranged to originate two college symphonic concerts, to be played by the Cincinnati Symphony Orchestra, under direction of Eugene Goossens, for coast-to-coast outletting by Mutual. First of the pair is to be broadcast tonight (16) from 9 to 10 p.m. EST, on the network, with a full two-hour stretch on the Cincy station. Second concert is scheduled for March 11. These concerts are the outgrowth of work done by co-ed and high school committees within the junior women's department of the women's committee for the Cincinnati Symphony Orchestra. Syd Cormell, announcer and producer at WKRC, will be the commentator.

A new local series of weekly half-hour programs on WKRC, commencing Wednesday (19) night, dramatizes careers of colorful leaders, past and present, in the U. S. Army, which is cooperating in the airings. Starter is on Robert E. Lee.

WOL'S Mutual Serial

Washington, Feb. 18.

'Helen Holden—Government Girl,' six-weekly daytime serial being produced by WOL for the Mutual network, has the following cast: Nancy Ordway (tentative lead), Robert Pollard, Nell Fleming, Larry Geraghty and Rudulph Watson.

Show is produced by the Furness-Beattie office.

CHANGE BERNIE QUIZ

Slight Variation in Program Formula for Bromo Seltzer

Ruthrauff & Ryan is considering an overhaul of the Ben Bernie show's routine. The present plan is for more comedy and the stepping up of the quiz angle so that participants will have their potential winnings tripled with every correct answer.

The difference between this show and others of its money-mounting description is that with Bromo Seltzer the participant will be paid off regardless of the point where he flunks. The Bromo kitty will start off with a dime.

Vaughn DeLeath's Divorce

Vaughn DeLeath is going out to Reno at the end of this month to establish a residence preliminary to getting a divorce.

While there she may do some singing on KOH.

10-Year Mother-Daughter Partnership Ends With Death of Donna Damerel

A 10-year mother-and-daughter partnership in a radio serial was ended last week by the death of the daughter, Donna Damerel, who was Marge of 'Myrt and Marge.' She died Feb. 15 at the Englewood (N. J.) hospital after giving birth to a son, her third child and by her third husband, Peter J. Fick, prominent as a swimmer. The actress was 28. The child is well.

The team of 'Myrt and Marge' was improvised in Chicago during 1931 and sold cold direct to Phillip K. Wrigley. With one hiatus it has been steadily sponsored ever since. The mother-partner, Myrtle Vail was Mrs. George Damerel and, like her deceased husband, was a veteran trouper, largely in vaudeville, although starting originally with a road company of 'The Merry Widow.' The family was in 'retirement' (vaudeville being what it was) when the mother got the inspiration that she, too, could launch a radio serial.

The connection with Wrigley lasted from 1931 to 1936. It made the team nationally famous. They made a picture for Universal, did extensive personals at a salary that made vaudeville look less nostalgic, although they never were in the top radio coin brackets. Last summer the pair tackled, not too seriously, a week with a Yonkers summer dramatic stock in 'Yes, My Darling Daughter.' After 1937 the turn was sponsored by Colgate-Palmolive-Peet.

As originally written by Myrtle Vail, the veteran of show business, the serial was the tale of a kindly hard-boiled trouper, Myrt, who made it her business to protect the innocence of the newcomer to backstage, Marge. It was sentimental and hokey, a caricature on reality, but the public liked it. Perhaps the one literary creation of Myrtle Vail in those days that stood out was pansy stooge, probably the first homo to be described on the air.

With the sudden loss of one of its chief characters the program this week lapsed into a chaotic condition. Due to prostration Myrtle Vail planned to remain off the show until today (Wednesday). The script was rewritten to take care of the missing actresses. Continuance of the part of Marge is uncertain at present as Myrt (Now Mrs. Eddie Lambert) states there can be no substitute for Marge.

Besides her husband and mother, the actress leaves two sons, by previous Chicago marriages, and brother, George Damerel, Jr., an orchestra leader. Funeral services were held Monday (17) in New York.

Army Showmanship

Buffalo, Feb. 18.

During recruiting spiel in WKBW's 'Stuff and Nonsense' show last week young man jumped up from studio audience and volunteered.

It was almost the McCoy. Youth tried to enlist the day before but marine officers held him over for the stunt, which drew plenty of attention over the air.

R. Voynow in New York, Fred Dodge in Philly Join Ward Wheelock

Richard Voynow, formerly in the CBS program service department, has joined the Ward Wheelock agency as eastern radio production head, headquartering in New York. Programs he will supervise are 'Campbell Playhouse,' 'Martha Webster' and 'Hilltop House.' Wheelock has been seeking someone for the assignment for some time.

Diana Bourbon, who handles daytime shows in the east, returned to duty last week after being absent several weeks due to illness. George Zachary directs 'Playhouse,' the agency's sole nighttime program in the east.

Fred Dodge, last with WFIL, Philadelphia, as sales exec, joins Wheelock's Philadelphia office on radio liaison.

HAYNES SUCCEEDS ANGLIN AT COMPTON

Storrs Haynes, a program supervisor for Compton, has succeeded Mary Louise Anglin as supervisor of new programs and script editor of the same agency. Miss Anglin, no relation to actress Margaret Anglin, resigned last week to accept a similar assignment with another agency. She declined to identify the firm until her return from a three-week vacation trip by motor through Florida.

Other changes at Compton last week included three additions and a shift in the radio department. Joining the office as program assistants are George Brengel, formerly assistant program manager at WSOC, Charlotte, and Jack Houseknecht, formerly of the NBC sound effects department. Jack Cole, a copywriter, becomes copy supervisor and Janet Watson, formerly with Lennen & Mitchell, joins the agency as a copywriter.

WMC's New Studios

Memphis, Feb. 18.

WMC moved into its new studios in the Goodwyn Institute with a luncheon of 300 Memphis business men and visiting radio executives, at the Peabody hotel, and a 60-minute dedicatory broadcast carried over a network of southern stations.

New studios are air-conditioned, sound-proofed throughout and include the large Goodwyn auditorium for visual audience broadcasts.

Vallee Into Coast Spots But Not for Sealtest

Hollywood, Feb. 18.

Two NBC network programs, previously not heard along the Coast, have been extended to the three Pacific states. Rudy Vallee's turn for Sealtest takes full Coast coverage, with National Dairies inserting the plugs for Kraft cheese. J. Walter Thompson agency cuts in for the 15% of the added time, with McKee & Albright handling the Sealtest biz. Sealtest is not marketed here.

Other program to come West is Bab-O's daytime serial, 'David Harum.'

Cecil Carmichael, publicity director of WLW, Cincy, addresses Radio Executives Club's luncheon meeting in New York, March 12.

Esty Abandons Parsons Program

Screen Guild Ruling Kills Proposition—B.B.D.& O. Solicits Lever Account Following Fiasco

William Esty agency has given up all hope of working out a compromise on the Screen Guild Actor's stand against the proposed Louella Parsons program and it is scouting the New York field for another show. Agency had contracted for the Friday 10-10:30 p.m. spot on CBS.

Budget that Lever Bros. had set for this particular Lifebuoy program is $4,000. It is reported that the B.B.D.&O. agency has meanwhile made a pitch for the Lifebuoy account, submitting some programs from which the account might choose. B.B.D.&O. is already in on the Lever Bros. advertising outlay through its handling of Silver Dust.

'Truth' Quiz to Par, L.A.

Ralph Edwards' 'Truth or Consequences' quiz show for Ivory Soap will do March 8 show from the Paramount theatre, Los Angeles.

Quiz is current at the Hipp theatre, Baltimore.

Keglined Program for Mutual

Young & Rubicam Meets Rebuff at CBS and NBC—Copy Issue on Beer Involved

Mutual's Monday, 8 to 8:30 p.m., period has been reserved by Young & Rubicam for a program to be underwritten by Keglined (American Can Co.). The indications are that it will be a script show. Series would start in early April.

Agency had gone first to Columbia but found that the network's policy on beer accounts or anything connected with the beverage was discouraging. Next approach was to the NBC-blue and the answer there was that it would have to see what copy Keglined proposed to use before it could accept or turn down the business.

Errata on Mars Show

In last week's issue of VARIETY it was erroneously stated in connection with a story that Mars candy will sponsor a new show over NBC-red with Ted Fio-Rito and Jackie Heller and that this candy company markets a bar known as O Henry.

O'Henry is not a Mars product.

QUIZ SHOWS IN C.A.B. SLUMP

FOOTNOTE: FEBRUARY, '41

Defending radio against its increasingly numerous and increasingly articulate enemies will tax the ingenuity of the broadcasting industry as time goes on. That fact is better recognized now than belatedly two or three years into the future. Just last week a powerful United States senator, one who is entitled to respect as an opponent or as a critic, raised an unpleasant suggestion of radio news bias. In the same week the Allied Printing Trades Council, an avowed foe of broadcasting, let loose with the most telling (in a propaganda sense) of its several anti-radio blasts. It happened also to be the week in which the president of another union, the musicians, stated certain expectations that place radio in the middle between two rival unions, the other side being the artists' Guilds.

Power begets enemies. Radio has great power. Not only the printing trades resent its prosperity. Not only senators speak out. Nor will the Department of Justice always be a convenient helpmeet to broadcasting in grappling with its problems. The future will demand plenty of planning, plenty of judgment and friends.

The friends will have to be better quality than hired echoes ga-ga with glee that a 10-ton truck can run down a garden hedge.

The back-to-1920 argument of the printing trades council may be silly. But the complacency of some broadcasters at this moment is also silly. Easy victories over badly-informed single opponents do not provide grounds for pre-supposing that well-informed opponents, in combinations, won't be more formidable later on. A great deal of close study of radio status quo, with an espionage eye out for weak spots, is going on these days.

Some broadcasters may, as they have in the past, rap the journal that sounds the note of warning. They can rush to press with a smugly-worded tut-tut. Or they can realize what is evident that the first 20 years were the easiest, the next five years the toughest.

LEONARD NASON IS BACK IN U. S. ARMY

Maj. Leonard Nason, military analyst for WOR-Mutual, has been recalled for active service and left last week for Ft. Benning, Ga., where he is serving with a mechanized unit.

Paul Schubert, the network's naval authority, is also taking on the military assignment for the present.

Fibber McGee on Lux

Lux Radio Theatre continues its policy of alternating high-rating mike comedians with film stars by booking Fibber McGee and Molly for its broadcast of next Monday (24).

The script will be the picture version of 'The Whole Town's Talking.'

Joe Engel, baseball-magnate owner of WDEF, Chattanooga, staged barbecue broadcast Friday (14). Threw whole works into show, airing frying-pan sounds and usual barbecue outing noises direct from studio.

TOWN HALL'S CONTRACT

NBC Keeps Forum—Denny Off For Six-Week Swing

Town Hall of the Air program has been extended on NBC under a new contract with options for five years.

George Denny signed before leaving for a six week road tour with the forum opening at Birmingham this Thursday and hopping to Pacific coast from there. Sid Strotz signed for NBC.

Terms not revealed but Town Hall program is believed to receive a $50,000 annual subsidy from NBC.

Benny From Palm Springs

Hollywood, Feb. 18.

Jack Benny, who at times has had the urge to broadcast from Honolulu, Sun Valley, Idaho, and other way points, has been granted permission by the agency and sponsor to do one Jello show from Palm Springs next Sunday (23).

Program will come from Plaza theatre, with seating capacity for 800 and 500 of the chairs taken by cadets from nearby March Field.

Fizdale Sues and Is Sued

Air Conditioning Training Corp. Counter-Claims Fizdale Promise to Deliver Philco Staffmen as Students

Suit by Tom Fizdale, Inc., radio free lance press agentry, against Air Conditioning Training Corp. for $91,500 was set for a jury trial in the N. Y. federal court Thursday (13) by Judge John C. Knox. Action charges breach of contract. A counterclaim has been filed against Fizdale for $9,500.

Fizdale asserts he signed an agreement for two years with Air Conditioning on March 12, 1940, to publicize the training school of Air Conditioning. It is claimed that $76,500 was to be paid for the publicity and $23,500 was due under another agreement giving Fizdale $10 for each pupil secured for Air Conditioning Training Corp. Of the total $8,500 has been paid.

Defense claims that at the signing of the contract Fizdale claimed to be a representative for Philco Radio & Television Corp. and would be able to shift the men on this company at the rate of 1,200 yearly to the defendant's training school. It was also stated that if the enrollment was not substantially larger than the previous year the deal would be cancelled and the $8,500 advance returned. Lastly it is claimed Fizdale failed to secure the best publicity or devote its best efforts toward publicizing the defendant. Air Conditioning deals in refrigeration equipment also and has used local radio advertising extensively.

'THE HIT PARADE' A POINT BETTER

'True or False' and 'Information, Please' Exceptions to Downward Trend of Question-and-Answer Programs in Latest Report of Co-operative Analysis of Broadcasting

RATINGS WOBBLE

Even though the latest Co-operative Analysis of Broadcasting report (period ending Feb. 11) shows a rise of two-tenths of a point for evening programs, the tabulations disclose a continued wane of popularity in quiz programs. Only two quiz shows, 'True or False' and 'Information, Please,' chalked up a substantial tilt, while 'Truth and Consequence' also went up but by a mere tenth of a point. All others quizzers fell off in rating, or remained static.

As for the musical shows 'The Hit Parade' recovered a point and all the straight music stanzas on the NBC-red Sunday night followed the upward trend of the preceding comedy shows. On the other hand Guy Lombardo slipped off, as did 'Voice of Firestone,' Glenn Miller, Fred Waring, 'Telephone Hour,' Ray Block, 'Contented Hour,' Cities Service, Xavier Cugat, Kay Kyser and Ben Bernie. The musicals that went up, including 'Parade,' were 'Pitch Bandwagon,' 'Saturday Night Serenade,' Coca Cola, 'Album of Familiar Music,' 'Beat the Band,' 'Manhattan Merry-go-Round,' 'Hour of Charm' and 'Hidden Stars.'

Ups and Downs

Following is how the quiz shows fared on this latest report:

'Truth or Consequences'—up.
'Information, Please'—up.
'True or False'—up.
'Battle of Sexes'—even.
'Take It or Leave It'—down.
'Dr. I. Q.'—down.
'Quiz Kids'—even.
'Ask-It-Basket'—down.
'Uncle Jim's Bee'—down.
'Professor Quiz'—down.
'Double or Nothing'—down.

Kyser's and Bernie's programs might be also classified as quiz show, and these, as noted above, are also down.

Because of the unknown quantity of the music war with its prohibitions upon ASCAP selections the recent C.A.B. reports (which are, of course, copyrighted and may not be published, as such) have been studied and watched with especial interest during January and February. Unusual conditions have produced unusual reports, ratings while not conclusive have been wobbly and the curve behavior for this time of year is distinctly not average.

Against the argument that the withdrawal of ASCAP music has injured radio, broadcasters have been saying that the redoubled—because necessary — efforts of production staffers have actually, in some cases, injected new pep and life into music shows that had been in a rut.

U. S. GYPSUM BUYING SPOTS

Chicago, Feb. 18.

U. S. Gypsum Co. will spot a flock of announcements throughout the territory in the interests of its Texolite Paint subsidiary. All announcements are being disked.

Through the Buchen agency.

Al Godwin, sports announcer for WWL, New Orleans, was slightly injured last week in a train wreck near Athens, La.

Young & Rubicam and Others Open-Minded on New Programs As C.A.B. Jars Sponsor Reaction

Recent slide-off of program ratings have created a wide open market for new programs among many major advertising agencies. The agency men are rushing to repair the ravages before the accounts themselves start bringing the pressure or other agencies start making the proverbial pitch for the business.

The scramble for available program material is contrary to the status of previous years. By the middle of February the agencies considered their shows pretty well jelled for the heavy listening season and about the only thing they would begin giving thought to summer replacements.

One agency where the call for new programs rates as exceptionally heavy for this time of year is Young & Rubicam. Program agents have been advised by Y & R that it can use as many as five shows. Recent C.A.B. reports have been particularly harsh on Y & R programs.

SEEK PALL MALL SHOW

Ruthrauff & Ryan Combs The Program Possibilities For Account

Ruthrauff & Ryan is looking around for a show that might be submitted to the American Tobacco Co. for Pall Mall's re-entry on the air.

R & R got the cig account several weeks ago from Young & Rubicam, but on ATC's invitation.

Love Letters From Attic Win Diamonds

When the Wayne King program goes on for Luxor (CBS) the mail-drawing device won't be letters about romantic episodes associated with songs but love letters supposedly dug up from their trunks by femme contestants for the diamond-ring giveaways.

Lord & Thomas, agency on the Luxor account, anticipates the limited use that might be made of the song angle so long as ASCAP music remained taboo from the networks.

DEAN HUDSON RETURNS TO PEANUT ACCOUNT

Boston, Feb. 18.

Dean Hudson returns to Lance Toastchee Time, broadcasting from WMAL, Washington and 35 NBC stations, starting March 3, 7:45 a.m. for 15 minutes, Mon., Tues., Wed., with breakfast club idea for six months. Product is peanut butter cracker. Set via Nachman-Rhodes Agency, Charlotte, N. C.

Band will play college parties throughout South on weekends during broadcasting schedule.

Makes First Huddle

Boston, Feb. 18.

After being graduated from secretarial school a few months ago, Bernice Scott was engaged for routine office work at WEEI. She studied voice culture in her spare time.

One of the station's executives heard about her. A mike test followed and she has been engaged to play a dramatic role for a 39-disc series.

CHANGE 'EASY ACES' TIME ON PACIFIC

'Easy Aces' and 'Mr. Keen' will be cleared simultaneously on all NBC-blue stations taking the serials coast-to-coast starting March 11. The westcoast outlet had been taking the programs off on wax and broadcasting them at a later hour, but that involved paying an additional fee for actors.

The change in westcoast schedules for these two scripters also solves a dilemma for NBC. 'Easy Aces,' which plugs Anacin, now follows in that area another headache account, Bromo Seltzer, via the Ben Berni show.

Perry Bill Up Again

Albany, Feb. 18.

Senator Charles Perry has again introduced his bill making it a petty larceny for any one to sell, lease or license any recording of a broadcast, obtained without the written consent of the performer, sponsor or station owner. Political, educational, religious and civic broadcasts are excepted. Records may be seized without warrant.

Somewhat similar bill was passed by the State senate at the last year's term but it died in Assembly committee. The bill at the time was strongly supported by the National Association of Performing Artists and the musicians union.

New CBS, NBC Surveys Due Out

Columbia's 'Width' of Listening Rather Than Intensity Thesis Works Out in Post Cards

CBS last week gave some of its more important accounts and agencies a preview of its new network coverage maps, the result of a survey in which it used the return postal card method. The network chose for its standard of determining coverage the number of times per week that the responding listener tuned in a station. If two out of three families stated that they listened to a station at least once a week that put the county concerned in the station's primary area, but if only one out of three families lent an ear to the station the county was considered as having but secondary coverage.

The network in working up this new coverage survey sent out 1,000 postcards to every 100,000 radio homes. The return was 82.1%. The queries sought to find out what stations the recipients had listened to during the last five months and which of these had they listened to at least once a week during the past three weeks (a) during the daytime, (b) in the evening.

The new CBS methods concerns itself with the width of listening and not with the amount, or intensity, of listening. NBC some time ago announced that it had made a new coverage survey and the network disclosed last week that it would soon come out with new method of coverage determination as based on this survey.

In determining coverage by the number of postalcards returned CBS used the following formula:

Percentage	Area
67 to 100%	Primary
33 to 67%	Secondary
10 to 33%	Occasional
Below 10%	None

SCHWERIN SURVEY TIMELY IN LIGHT OF ISOLATIONIST'S NEWSCAST ISSUE

Research Reveals Disbelief in Nazi News, Distaste for Nazi Victories—If Public Is Being Kidded Into Pro-British Position They Apparently Want to Be

By EDGAR A. GRUNWALD

When he demanded copies of talks made by network newscasters, isolationist Senator Burton K. Wheeler last week raised, by inference, the question: 'Is the American public being kidded about the war?' By a coincidence a recent research survey of Horace Schwerin of the Spector Advertising agency made in cooperation with WOR, New York, throws strong light upon this very theme. This survey traced, scientifically, an unmistakable American tendency to disbeieve German news, believe British news, shudder at Axis successes and enthuse over British victories. It might not too extreme to draw from the findings the conclusion that if America is being kidded into a pro-British position they like being kidded.

It is, of course, no discovery that news is popular as to radio program classification. The Schwerin survey does, however, make some provocative analyses. It brings out the point that it is an undoubted mistake in broadcast showmanship ever to delay the European war news. No sports or domestic news item presumably can, at this time in history, capture the audience's attention so surely and hold it so tightly as getting right into the war stuff. This consideration, already known to most broadcasters is especially pertinent for the sponsors of news programs as a clue to the first 'must' of maximum audience interest.

The impact of war news on the radio listener's attention—as well as the latter's distinct sympathy toward the welfare of England and Greece—were demonstrated by the original-minded researcher (Schwerin) who recently proved that a program should be a related series of stimuli awakening a continuous pattern in the listener's mind. He has since focused his attention on what happens when a newscast dins into the eardrums of the U. S. listener.

WOR's Guinea Pigs

Abetted by WOR, which supplied him with the human guinea pigs and the facilities for his experiments, Schwerin's staff has taken about 1,000 subjects and measured their interest in news of all kinds. Three important findings have resulted from these tests

(1) News about the war commands the most avid interest among listeners. The interest in war doings, regardless of which side of the Atlantic, is on a uniformly high level (see accompanying chart).

(2) The U. S. listener shows a sharp leaning toward the cause of England and her allies. He is more interested in news favorable to these nations than in news favorable to the Axis, and he apparently attaches more belief to English news sources than to Axis news sources.

(3) In order to command the maximum listener-attention, newscasts must follow a certain pattern, which is somewhat akin to the position of news in the daily press. The best news items must come at the start of the program if the listener's attention is to be maintained. When this pattern is violated, listener-interest comes down to a lower level.

Two subsidiary findings of Schwerin are worth mentioning: (a) women listen to the news more than men do (except very early in the morning or very late at night), no doubt, for the simple reason, that they have better access to radio sets, but men generally have more interest in news than the women; and (b) adult men and women are more interested in war news than young people. Young women favor news of hearth-and-home above all else, while young men dilletantishly scatter their interest all over the lot. The dividing line between 'young' and 'old' is in the middle twenties.

Older People

The implications of the foregoing findings (and those tabulated in the chart) are self-evident for radio sponsors. It follows from the index numbers that at the present time war raises news-attention, and that currently the most avid audience is among older people. This should provide a suitable answer to the oft-heard complaint that the air is too full of war news.

Aside from these implications having to do with sponsors, researchers see in Schwerin's work some angles of great importance to the U. S. Government vis-a-vis the war. These angles confirm the common-sense suspicion that the listener is far more sympathetic to England than to the Axis, and that because of this predisposition—or mental pattern—he could perhaps be propagandized or 'kidded' within certain limits. For instance, Schwerin has found that when the news is favorable to England or Greece, it rates an index of 112; but when it is favorable to the Axis, the index sinks to 102. Similarly, when the news is issued from English sources, the interest-index again is 112; and when the source of the news is the Axis, the index once more sinks to 102. In short, the listener's partinsanship somewhat predisposes his listening-interest. A program composed of nothing but DNB news from Berlin would soon be a flop. English government handouts would probably fare much better.

Again in line with the listener's apparent mental 'Gestalt' pattern is his pre-conceived idea of what sequence the various news items should follow. For one thing, the listener wants to hear war news first of all on the newscast. If he is disappointed, and the war news comes in second or third place, his interest in it falters. Similarly, domestic miscellany—chit-chat about smaller events throughout the nation—fares best of all in last place. It thus seems that the listener has a definite sense of news-ranking, and stubbornly insists that the news be fed to him in accordance with his own ideas. Schwerin does not say how the listener originally acquired this pattern, but whatever the reason, it shows up plainly in the figures. Here they are, indicating the listener's interest according to news placement (numbers are index figures):

War News	
Presented on first portion of program.	100
Presented second portion	87
Presented last portion	73
Foreign Miscellany	
Presented on first portion of program.	100
Presented second portion	74
Presented last portion	68
Election News	
Presented on first portion of program.	100
Presented second portion	120
Presented last portion	81
U. S. and the War	
Presented on first portion of program	100
Presented second portion	108
Presented last portion	98
Domestic Miscellany	
Presented on first portion of program	100
Presented second portion	104
Presented last portion	114

Simultaneously Schwerin has also completed studies on the types and position of commercial messages in newscasts, but many of these are identified with individual sponsors and thus cannot be stated here. Suffice it to say that a definite connection between the individual commercials on any one program has been noted. A good opening commercial, for instance, raises listener-interest in the second, third, and all subsequent commercials on that program. And vice versa, a bad opener presages a bad finish. The full implication of these findings needs additional elaboration, but the importance is immense.

As in earlier experiments, the Spector research chief again used the Stanton-Lazarsfeld analyser, a machine which records listener reactions on graph paper without interrupting the program. For all purposes at hand, the WOR sample of 1,000 proved to be plenty large. The same findings, as a matter of fact, could have been obtained with a much smaller batch of guinea pigs.

For the mathematically-minded reader, it should be added that the index numbers used here as documentation well-nigh defy explanation. Since markings on graph paper are extremely difficult to tabulate, Schwerin is using a rating system devised by Dr. Paul Lazarsfeld of Columbia University to get his base materials. But notwithstanding the complexity of this process, all indices may be read as common index numbers—i.e., percentage comparisons. It should also be noted that these findings apply solely to newscasts, and not to news comment.

Self-Interest Alone Is Guarantee of Unbiased Comment, Sez Rosenbaum

Philadelphia, Feb. 18.

Samuel R. Rosenbaum, WFIL proxy and chairman of the board of Independent Radio Network Affiliates, last week took issue with statement made by Senator Burton K. Wheeler, Montana Democrat, that radio devoted more time to supporters of the lend-lease bill than to its critics. Said Rosenbaum:

'Senator Wheeler is quoted as stating that he questioned whether the affiliated stations have been as careful as the network originating stations to give equal time to both sides of every public question, particularly the lend-lease bill and American neutrality.

'Speaking for the affiliates, I am positive that Senator Wheeler is not correctly informed. There is no class of business men in this country more aware of public service obligation than the owners and operators of the network-affiliated stations. We are at all times eager to bring to our listeners views on both sides of controversial questions.

'Apart from the legal requirement, it makes for vital and thought-provoking programs that increases our listening audiences, something every station desires.

'We have no editorial policies. We do not color the news. It may be that there is an overwhelming current of public opinion running one way or another, but we do not create it. Each listener draws his own opinions.

'It would be a calamity for American freedom if it were otherwise. We want to preserve freedom in radio from unwarranted censorship or coercion. If Senator Wheeler believes that individual stations have knowingly departed from this standard, our group (IRNA) will be the first to see to it that it be maintained.'

WHEELERITES WELL HEARD —COMBS

George Hamilton Combs, Jr., news commentator on WHN, New York made one of the most outspoken broadcast replies to Senator Wheeler's demand for copies of newscasters remarks concerning the lend-lease bill. Following is verbatim as delivered by Combs last Thursday (13):

'Today, Senator Burton K. Wheeler, isolationist leader, charged that sponsored news commentators on the radio chains have been quite one-sided on the question of the Lease-Lend Bill. Furthermore, he said that there have been complaints of propaganda by newspapers, by many columnists and by the motion picture industry, and that these complaints had become so numerous that official notice must be taken of them. It so happens that Senator Wheeler is also chairman of the Senate Interstate Commerce Committee which handles radio legislation. Therefore it was with, what I might say unusual, interest that certain radio stations today received letters asking for copies of the scripts of all sponsored news commentators for the last year.

'The Senator says, and I quote:—"If we are to preserve democracy in the United States, it is absolutely necessary that on fundamental issues, such as granting dictatorial powers to the President, and the question of peace or war, the people should be fully and impartially advised. The only way that Hitler, or Stalin or Mussolini are able to keep their people in subjection is because of controlled press, radio, and motion pictures."

'It is obvious that there is no government control of press, radio, or motion pictures. In fact, during the present debate on foreign policy, the radio has been wide open to the isolationists. The spokesmen for Senator Wheeler's cause have been numerous and articulate. Colonel Lindbergh has spoken several times and Mr. Verne Marshall has been heard. Senator Wheeler, himself, has addressed the nation on many occasions, and I believe in one instance, twice in one day, on national hookups. There has been obviously no stifling of free expression; likewise no scintilla of evidence is available that the radio industry desires any suppression of divergent points of view. However, all of this raises an issue of which every conscientious and informed commentator has been keenly aware. It is true that if one school of economic, social or political thought were able to purchase a preponderance of radio time and the services of radio commentators, it would enjoy a tremendous advantage in the presentation of its point of view. The impact of regularly scheduled broadcasts is very much greater than that of the sporadically placed broadcasts of other speakers, except those of national celebrity. On the other hand, the radio has been kept singularly free of this contamination. At the present time, there are about as many liberals as there are conservatives among the radio commentators. Furthermore, it is exceedingly doubtful that any sponsor ever tried to dictate to a commentator as to what he should say or what economic or other policies he should enunciate.

'Every thoughtful student of the problem will recognize that a monopoly of the public ear would be almost as dangerous as a monopoly of the public eye, such as might be represented by a press which expressed only one philosophy or school of thought. As a matter of fact, it is my opinion—and take it for what it's worth—that the radio has been a liberalizing influence in American public thought.

'Certainly nothing could be worse than the employment of radio by the government as a means of propagating or disseminating either a political or social philosophy, but at the present time we are certainly not confronted by any such situation.

'The danger implicit in Senator Wheeler's remarks is that the radio will be muzzled. If newspapers, columnists, the motion picture, and radio are not permitted to enjoy complete immunity from censorship, then freedom of speech is wholly extinguished. Your own radio commentator has never made any secret of his belief that dictatorship is bad and democracy is good. I cannot believe it to be against public policy or against the law to denounce dictatorship and to praise democracy, to champion freedom, and to excoriate tyranny, to plead for the defense of the democratic countries, and to castigate the forces which would destroy our liberty and our freedom.

'If this be treason, make the most of it.'

Cal Tinney, newspaper columnist and humorist, switches his newscast from WCAU to WFIL, Philly, beginning next week. WFIL may pump the show to its Quaker Network.

Listener-Interest in Radio News by Categories

(Note: The amount of listener-interest can be judged by the manner in which categories are ranked, as well as by the index numbers parentheses.)

I. WAR NEWS (68).....
a. Adult Men (123)
b. Young Men (105)
c. Adult Women (101)
d. Young Women (100)

II. U. S. AND THE WAR (68).....
a. Adult Men (110)
b. Adult Women (106)
c. Young Men (98)
d. Young Women (95)

III. ELECTION NEWS (64).....
a. Young Women (112)
b. Adult Women (107)
c. Young Men (100)
d. Adult Men (72)

IV. DOMESTIC MISCELLANY (58)
a. Young Men (106)
b. Young Women (103)
c. Adult Women (97)
d. Adult Men (65)

V. FOREIGN MISCELLANY (56)..
a. Adult Men (93)
b. Young Women (90)
c. Adult Women (88)
d. Young Men (81)

Isolationist, Bitter, Turns on Radio

Wheeler Sees Bias and Improper Editorializing on Lend-Lease Matter

Washington, Feb. 18.

Isolationist yowls—as the 'lend-lease' bill nears its final show-down—last week were concentrated on radio as a prime factor in so-called war-like propaganda. Broadside attack was made on the national networks—with Mutual singled out as the worst offender—by Senator Burton K. Wheeler, principal foe of the administration's aid-to-Britain program. Radio news commentators on the big chains have been 'quite one-sided,' according to the chairman of the Senate Interstate Commerce Committee.

Wheeler, whose committee handles radio legislation, charged that MBS commentators had been 'not only editorializing, but in many instances propagandizing' when the war issue was discussed. In a letter to Fred Weber he requested 'a copy of the script of your commentators during the past year,' declaring that squawks about propaganda had 'become so numerous that official tice must be taken of them.'

Wheeler requested webs to 'furnish me with a list of the commentators, together with the names of their sponsors, and if the sponsor is a corporation, to give me the name of the president of the company, and the members of the Board of Directors.' The Montana senator pointed to the recent Federal Communications Commission reprimand to the Boston station, WAAB, of John Shepard, 3rd, for 'editorializing' the news via the airwaves.

While granting that the originating station of the chain might have given 'equal time to individual speakers on the more important issues,' Wheeler questioned whether affiliate stations had done so and charged that sponsored commentators on the webs had been 'quite one-sided on the great issue that is pending before the country at the present time, namely, the lend-lease bill, and the question of our own neutrality.'

PRINTERS IN ANTI-RADIO MOVES

Washington, Feb. 18.

The Allied Printing Trades Council last week issued from Miami another of its several blasts against the radio industry, charging radio advertising cost the jobs of 25,000 printers and that radio made abnormal profits on a nominal cash investment.

A bill is expected to be introduced in Congress soon embodying its tax-the-broadcasters principle.

Jack Von Tilzer out of NBC programs sales division.

A report to advertisers in the 1940-41 Variety Radio Directory

★ ★ ★ Last year you spent anywhere from $50 to $3,000 apiece with us to advertise yourself to the trade.

★ ★ ★ Who saw your advertisement?

★ ★ ★ We are pleased to announce the following:

As of today, the 1940-41 Variety Radio Directory is in the hands of sponsors who bought $79,402,471 in network time alone during 1940.

Similarly, agencies spending $84,811,402 in network time alone during 1940 now have one or more copies.

★ ★ ★ The foregoing simple facts, we believe, are self-evident indications of the Variety Radio Directory's importance as an advertising medium for reaching the trade's BIG MONEY. 1941-42 volume in preparation now.

VARIETY Radio Directory
154 West 46th Street, New York

Price: $5 per copy

PETRILLO MOVES FOR SHOWDOWN WITH WEBS AND AGMA ON CONCERT VIRTUOSI

Possibility of Actors Union Being Involved—Strotz, Woods, Lowman, Seebach Given Notice of March Deadline—Watch Spalding Case

A jurisdictional war between the actors' and musicians' unions may break out within the next couple of weeks. Spark that could set off such hostilities would be the enforcement of an ultimatum served on the four major networks last Friday (14) by James C. Petrillo, president of the American Federation of Musicians.

The demand, which revives Petrillo's bid to exercise jurisdiction over all instrumental soloists as well as rank-and-file musicians, is the same one the AFM prez was forced to hold in abeyance last summer because of court action by the American Guild of Musical Artists. But with the appellate division's denial of AGMA's injunction claim and dismissal of its complaint for court trial, Petrillo's way is again open to proceed against the name instrumentalists.

In his ultimatum to the network reps, the AFM head stated that on and after March 1 all soloists and virtuosi appearing on the air must hold AFM cards. Although he did not say so in so many words, his obvious implication was that AFM members would be forbidden to play with any instrumentalists not holding such cards. To hear his dictum, Petrillo served summary notice on Mark Woods and Sidney Strotz, NBC vice-presidents; Lawrence Lowman, CBS v.p., and Julius Seebach, Jr., v.p. and program manager of WOR. Four execs were told to be at the AFM chief's office at a specified hour. When they arrived, Petrillo and Jack Rosenberg, president of the AFM's New York local 802, outlined the ultimatum, asked if there were any questions and, after a few brief queries and answers, ended the session. He indicated at the time that he has no interest in concert vocalists, the first time he has given any such hint.

AGMA Calls Meeting

AGMA leaders, informed of the situation over the weekend, called a board meeting yesterday (Tuesday), but with Lawrence Tibbett, president, out of town and Henry Jaffe, attorney, unable to be present, no definite plans were drawn up. Most of the top concert names have said in the past that they are determined not to be forced into the AFM. However, the attitude of Albert Spalding, one of AGMA's founders and one of those likely to be first effected by the situation, is unknown. As permanent m.c. and soloist of the Coca-Cola program Sunday afternoons, he would immediately come under Petrillo's ruling.

It might be possible (provided the sponsor permitted it) for Spalding to avoid being put into the middle by voluntarily giving up his soloist assignment on the show, simply acting as m.c. However, his companions in AGMA would undoubtedly bring pressure on him to make an issue of the matter. The violinist could not be reached for comment yesterday, so his attitude on the question remains unknown.

Possible Trouble

Even if the matter isn't brought to a head with Spalding's first scheduled appearance on the air after the Petrillo deadline, it would probably reach a crisis soon afterward. Such concert names as Jascha Heifetz, Jose Iturbi and others are booked for appearances on the Ford hour, the N.Y. Philharmonic-Symphony broadcasts, the Phila. orchestra broadcasts and other programs. Since such engagements come under the jurisdiction of AGMA's affiliate, the American Federation of Radio Artists, a wholesale jurisdictional battle may possibly ensue.

AFRA officials were reluctant to speculate yesterday on what action the union might take in case Petrillo's ultimatum should result in loss of employment by their members.

AGMA STILL FIGHTING AFM; APPEAL IN N. Y.

The American Guild of Musical Artists, Inc., filed an appeal yesterday (Tues.) to the Court of Appeals in Albany, the highest tribunal in the state, from a decision of the Appellate Division of the N. Y. Supreme Court on Jan. 24, denying its plea for an injunction, and dismissing its suit against James C. Petrillo and the American Federation of Musicians. This is the last appeal that AGMA may take, as attorneys feel that no appeal can be taken to the U. S. Supreme Court in Washington.

AGMA seeks a restraining order preventing PetriHo from carrying out an edict of Aug. 8 in which he threatened to call out his members on strike if the AGMA instrumentalists did not resign and join the AFM.

WBTA, BATAVIA, STARTS

Under President-Treasurer-Manager Gamble—Rest of Staff Is Set

Batavia, N. Y., Feb. 18.

New 250-watter, WBTA, bowed in Thursday (6) in Batavia to take up the slack between signals put out by Buffalo and Rochester broadcasters. Heading latest outlet hereabouts are E. R. Gamble, president-treasurer who manages; Edward P. Atwater, vice-president and Joseph M. Ryan, secretary.

Outfit has remodeled two-story building into modern RCA-equipped studios, setting up antenna one mile south of this city of 18,000 population. Operating 16 hours a day on 1,500 k.c.

Robert E. Newstead named commercial manager and R. Carleton Smith, chief engineer. Others include Ross Weller, program director; William Winn, chief announcer; Clarence L. Bull, news editor and Winifred Legge, office manager.

Planning dedication for March with Senator Jim Mead as speaker.

PRIME AIR HAMS FOR NATIONAL DEFENSE

Detroit, Feb. 18.

Forgotten between floods, storms and disasters, the Country's hams (amateur shortwavers) are coming in for more attention these days as Uncle Sam marshalls them into even a closer-knit organization to tighten the nation's defenses. Plenty of activity is going on here with the hams since this is one of the key industrial centers. More than 600 operate in Detroit and have been getting special training in how to work out in case of the failure of other communication systems. Under supervision of FCC dozens of clubs here participated in a 24-hour test of handling traffic to all parts of the U. S.

To educate the public to the work those hams, whom most folks remember as annoyances on their earlier radios, do, Fox theatre here has put in a lobby display emphasizing amateurs' functions in assisting Red Cross, police and possibly military bodies in crucial times.

BIG RADIO SHOW FOR BRIT. CHILDREN FUND

A score of radio artists are rehearsing this morning (19) in the new CBS studio building for a benefit to be held Friday (21) night in the Plainfield, N. J., high school auditorium.

Harry Hershfield will emcee the show, featuring Ezra Stone, The Martins of the Fred Allen program, Mary Eastman, Don ('The Crazy Russian') Tannen, Arthur Elmer, Gilbert Mack, King Sisters, Ann Brown (the original Bess of 'Porgy and Bess'), Billy Green, Nita Carol, Leonard Liebling, songwriters J. Russel Robinson and Jerry Livingstone, and others.

Mark Warnow's orchestra, conducted by Kai Kirby, will furnish the music and Richard B. Gilbert will produce and direct.

Proceeds of the show, 'a unique airless broadcast,' will go to the Save the British Children Federation.

WWL's Mardi Gras Deeds

New Orleans, Feb. 18.

WWL will broadcast a word picture of the Krewe of Hermes ball in Municipal auditorium Wednesday (19). Other Mardi Gras high spots will be broadcast, including an on-the-spot broadcast of the Parade of King Rex.

Station will inaugurate series entitled 'The 60 Men Who Make New Orleans' in co-operation with Association of Commerce on Jan. 29. First salute goes to realtors of city. Different group will be honored each week in series.

RADIO MEN HAIL PUBLISHER

It's a Bit of a Precedent in Philadelphia History

Philadelphia, Feb. 18.

Carlton Cresswell, new publisher of the Evening Ledger, was guest at a luncheon tossed in his honor by execs of Philly radio stations headed by Samuel R. Rosenbaum, WFIL prexy, at the Ritz Carlton last Thursday (13).

It is believed to be the first time in Philly history that the radio industry has so honored a member of the so-called rival profession.

MORE DAILIES USING RADIO NEWS

Chicago, Feb. 18.

Survey of daily newspapers using radio news columns showed a considerable increase over last year, according to info compiled by Bill Ray, NBC press chief in Chicago. This survey took in all dailies coast-to-coast and considered only those papers using actual radio news columns and ignored those merely using schedules and listing.

Classified were Sunday papers only, daily only and daily and Sunday.

Survey showed that 53 Sunday papers added radio columns in 1940, 53 daily papers added radio columns and 21 daily-and-Sunday sheets switched to radio news. Those papers in each classification which continued status quo with radio news columns during 1940 were 28 in the first classification, 134 in the second and 85 in the third.

In all three classifications, 81 papers dropped radio columns during 1940. Those dropping radio columns were 12 Sunday sheets, 50 dailies and 19 daily-and-Sunday newspapers. Which means that radio gained 46 papers to its side during the year.

James R. Curtis Has Yen for FM Station

Longview, Tex., Feb. 18.

James R. Curtis, of KFRO, Longview, has been attending the fourth Annual Broadcast Engineering Conference at Columbus, Ohio. Now visiting Washington and New York, before returning to Texas.

He plans erection of a FM station in Texas.

Shepard's Draft Promise

Boston, Feb. 18.

John Shepard, 3d, is arranging to hold open the jobs of any of his Yankee and Colonial Network employees who may be drafted into military service under the Selective Service and Training Act. As yet none have been drafted.

Should the occasion arise, any regular employee will be restored to the position he held at the time of his leaving the company to enter military service or to a position of like seniority, status and pay.

WRITERS SIGN PACT WITH WEBS

Contracts for staff dramatic and continuity writers at NBC and CBS were finally signed this week by representatives of the networks and the Radio Writers' Guild. Three-year pacts had been negotiated for some weeks, but the actual signing was delayed pending approval by lawyers for the various parties.

Deals call for Guild shop, 10% salary increases for all writers now earning less than $400 a month and a complicated set of regulations covering the sharing of different classifications of rights to written material. There are believed to be slight differences in the Guild contracts with NBC and CBS, but the general terms are said to be about the same.

Under the two deals, radio rights to material turned out by the staff writers on the company's time belong to the companies. But if such material is sold elsewhere for sustaining broadcast the writer and the company share the proceeds 50-50, if it is sold for commercial broadcast the split is 90-10 in favor of the writer. If a writer's continued series is sold for sponsorship the writer (except for minor deals) is to be paid by the sponsoring company, with the network getting a 10% commission on the amount.

On radio material turned out by the writer on his own time (but which may not be in direct competition with his writings for his regular employer) there are various specifications. Income from book and dramatic rights is divided 90-10 in favor of the author. Income from film rights is to be split 75-25, and for merchandising rights (toys, novelties and so on) the sharing arrangement is to be 50-50. In all such instances the employing company has authority to set disposal deals, but after that time the writer may handle his own sales.

Contracts do not stipulate any salary minimums, but the Guild may open the question of such minimums after two years. According to strict application, the pact with NBC covers staff dramatic and continuity writers in New York, while that with CBS relates to such writers at WABC.

Additional deal for staff news writers at CBS has been negotiated and is now in the hands of attorneys. Agreement for new writers at NBC must await the Guild's organizing of them. Guild intends to seek contracts for free-lance sustaining writers after that. Negotiations with the American Assn. of Advertising Agencies, for a code of fair practice for commercial free-lancers or recommended contracts with the individual agencies, are said to be proceeding satisfactorily.

Harry 'Pappy' Cheshire, maestro of KMOX, St. Louis, hillbilly galaxy, is back at his stint after an absence of five weeks due to throat infection. He takes another picture for Republic in June.

BELGRANO'S MUSICIAN TIFF

Joe McGillvra Out of Canada

But Continues as U. S. Rep for List—Horace Stovin Takes Over in the Dominion

Jos. M. McGillvra and Horace Stovin, Canadian station rep, have pooled interests in Canada, with McGillvra bowing out as active head of his offices in Montreal and Toronto.

This arrangement applies only to McGillvra's representation of Canadian stations in the Dominion. McGillvra continues as U. S. rep for stations involved.

Under amalgamation Stovin will now handle the McGillvra stations in Montreal, Toronto, Vancouver and Maritimes in addition to outlets he already has in Winnipeg and Brandon. Offices will be maintained in Toronto and Montreal and no staff letouts are contemplated.

There has been considerable discussion in Canadian broadcasting circles for some time past about bleak future for Dominion station reps, since ficld has become overcrowded in past year. McGillvra-Stovin combo relieves McGillvra of situation which was not very profitable. It also places Canadian representation in hands of native.

Stovin, formerly station relations manager for the Canadian Broadcasting Corp., resigned from the Government organization last year.

Narvo's Toronto Show

Montreal, Feb. 18.

English version of 'Narvo' color game for Murphy Paints, scheduled for production in Toronto by Cockfield-Brown Agency.

Murphy Paints had been using French programs only until this season.

WBIG Faces

Here's J. Boltan Nutt, our chief engineer. A very quiet, dignified gentleman . . . can't hear him over two blocks. Ex-sailor, very proficient—in profanity. Weakness: strawberry shortcake.

The MAGIC CIRCLE

More people make more products, earn more wages, and get more for their crops in WBIG's Magic Circle of fifty miles, than any other like area in the southeast.

Columbia Broadcasting System affiliate.

EDNEY RIDGE DIRECTOR

WBIG
GREENSBORO, N.C.
GEO. P. HOLLINGBERY CO. NAT'L REP.

VOX POP IN MEXICO CITY

Noreiga a Former Announcer—Prada Once with KNX, Los Angeles

Mexico City, Feb. 18.

Penn Tobacco's Vox Pop broadcast from here last week was an event of considerable local excitement. Party from the Ruthrauff & Ryan agency in New York included Nate Tufts, Wallace Butterworth and Parks Johnson. They received many special courtesies including the use of a reception room at the Ministry of Foreign Relations. They found a sympathetic personality Alonso Sordo Noreiga who before he became chief of the government's information department was a radio announcer.

Anglo-American colony was especially interested. Among those appearing for interviews over the air were two Mexican film stars, Pedro Armendariz and Andrea Palma who speak English. Fred Perry, the English tennis player, was also a participant as was Carlos Riverol Prada, program director of XEQ. Prada is a Mexican who has worked for American advertising agencies and with Station KNX in Los Angeles.

BBC RADIO PROGRAMS FILMED BY GAINSBORO

London, Jan. 17.

Gainsboro's purchase of film rights to 'Hi Gang' marks second air musical to go celluloid in last 12 months—radio's 'Band Wagon' marking up nice provincial grosses for the same production outfit. 'Hi Gang' will roll under guidance of Edward Black at Shepherds Bush studios, with Marcel Varnel directing. Comedy team of Moore Marriott and Graham Moffatt, Gainsboro stand-bys, will be added to radio cast of Ben Lyon, Bebe Daniels and Vic Oliver.

Latter trio might be said to have looked upon their radio work as an investment, since all fees from the airing were turned over to war charities. Show has recently been signatured by BBC to a further six weeks, giving it a 48-week run.

'Government Hour' No Hit With Mexico Stations

Mexico City, Feb. 18.

Radiomen are much concerned about the measure Congressman Luis Ordorica Cerda has introduced at the special session of congress, now sitting, which would compel every air station in this country to give the federal government an hour daily for official service. This would be news and other information released by the government's press department, sandwiched between propaganda talks and the rendering of tourist attracting Mexican music and folklore spiels.

The Congressman thinks this time donation will be a grand thing. The air men do not like the proposition and have said

XEBT Is Fire Victim

Mexico City, Feb. 18.

Fire caused by an electric current short circuit has put out of commission XEBT, the short wave accompanier of local radio station XEB, owned and operated by the Bueno Tono Cigarette Co. The blaze at the station at Huipulco, a local suburb, injured two employees and required two hours to control.

Reconditioning of the station is being rushed. This is the first radio station fire here of importance in several years.

Jack Hylton guesting on 'Hi Gang' for Bebe Daniels uncovered a tenor voice and an operatic yen. Did an aria from 'Pagliacci' to show what he takes as birdseed.

RADIO KILLS OFF DANCE BOOKINGS?

Argentine Musicians Union Strikes Against Radio Belgrano, Claiming Station Violates Saturday Night Promise — Also Demands Recognition and Reinstatement

ASK MEDIATION

Buenos Aires, Feb. 18.

Federal aid is being sought to settle a strike against Radio Belgrano (LR3), one of Argentina's two largest stations, called by the Asociacion General de Musicos de la Argentina. Dispute, involving scores of musicians, is the first of its kind in S. A. and has already resulted in a dozen arrests.

Asociacion claims Jaime Yankelevich, owner of Belgrano, refused to follow contract agreeing not to transmit dance programs after midnight Saturday night. Musicians insist such programs deprive them of many dance jobs. Belgrano is the only station to carry such broadcasts, most transmitters shutting down at midnight.

Yankelevich insists he has legal right to play until 2 a.m. and says high Argentine officials have said music should be encouraged. Cites fact that several high ranking members of the Asociacion, including Francisco Canaro, Francisco Lomuto and Roberto Zerrirro; have already re-signed contracts.

Union has asked Dr. Horacio Rivarola, Director General of Posts and Telegraphs, under whose department radio falls, to intervene. Fact that after-midnight issue is only one of

(Continued on page 30)

Uruguay to Revise Radio Laws: Hidden Ownership of Stations By Foreigners Is Disturbing

Montevideo, Uruguay, Feb. 18.

Complete revision of Federal law covering Uruguayan radio is currently being discussed by Congress as one means of checking the increasing growth of Axis-flavored broadcasting here. Proposed plan—held likely to be passed at present sessions—would give the Government, hitherto one of the most liberal of all South American countries—rigid control. Also probably freeze the number of stations to the present total of 37 standard and 24 short wavers.

Unlike radio across the River Plate in nearby Argentina, many stations here have been outspoken in their attitude on overseas and local politics and this very liberality has created a danger in the minds of many legislators. It is known that Germans, Italians and British, in about that order, have had a finger in some station operations. Such ownership is under cover, however, Uruguayan companies being the fronts. One effect of the measures now under discussion would be to closely probe true ownership.

Uruguayan Government, which is strongly anti-totalitarian and pro-U.S., owns a number of stations, while newspaper interests, sometimes politically backed, and small entities and private groups own others.

CRIME STORIES PAY

XEW Has Police Official Under Colgate Sponsorship

Mexico City, Feb. 18.

Colgate is sponsoring a 145-minute dramatization every Tuesday night of true crime cases from Mexico's court records. Series on XEW is called 'Crime Doesn't Pay' and recounts this country's most notorious deeds of violence, principally murders, perpetrators of which were all caught and made to suffer.

Major A. Alvaro Basail, commander of the police department's fleet of American style radio patrol cars, is the narrator. He is getting as much fan mail as do some of the sex appeal air performers.

STARR-HUNT FROM MEXICO

Mexico City, Feb. 18.

Jack Starr-Hunt is scheduled to start a series of weekly broadcasts from here for the Mutual network. He will receive $50 for 10 minutes every Tuesday, starting next week.

Starr-Hunt has been in Mexico City 20 years. He represents about 20 publications, many of them American.

Programs will go over land lines out of XEQ.

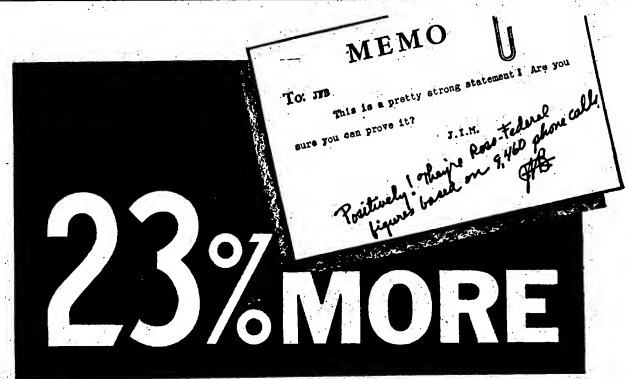
Raymond Gram Swing holding down a page in Sunday Express here as commentator on U. S. political scene.

New One in Mexico City

Mexico City, Feb. 18.

Active radio stations here will be increased in number to 32 with the inauguration Feb. 20 of XEMC, operating on 1590 kilocycles. Ramon Ferreiro, a pioneer in radio in Mexico who has worked in the U. S., is the station's manager.

XEMC reports good advance booking of commercials.



23% MORE

persons will listen to WKY today, tomorrow, or any day in Oklahoma City than to all THREE other stations combined!

WKY
OKLAHOMA CITY

THE SONG-HITS OF THE YEAR . . . IN

Here are 1941's great musical thrills from those hit-smiths. Mack Gordon and Harry Warren! You'll be hearing them in the gayest and most glamorous musical 20th Century-Fox ever made!

"I'YI, YI, YI, YI"
(I Like You Very Much)
—sung by Carmen Miranda!

"CHICA, CHICA, BOOM, CHIC"
—sung by Carmen Miranda, Alice Faye and Don Ameche!

"BOA NOITE" (Good Night)
—sung by Alice Faye!

"THEY MET IN RIO"
—sung by Don Ameche and Alice Faye!

"THE BARON IS IN CONFERENCE"
—a knockout novelty number!

That Night

GLORIOUS! IN TECHNICOLOR

Note to Band Leaders! All the songs in "THAT NIGHT IN RIO" (except for the

THE YEAR'S SMASH MUSICAL!
Alice FAYE
Don AMECHE
Carmen MIRANDA
in Rio
AH! THE SAMBA!... new dance sensation!
S. Z. SAKALL • with J. CARROL NAISH
CURT BOIS • LEONID KINSKEY
Directed by Irving Cummings
Associate Producer Fred Kohlmar. Screen Play by George Seaton, Bess Meredyth and Hal Long Additional Dialogue by Samuel Hoffenstein. Based on a play by Rudolph Lothar & Hans Adler. Adapted by Jessie Ernst. Dances staged by Hermes Pan.
20th CENTURY FOX

roduction number "The Baron Is In Conference") are published by MILLER MUSIC, Inc., 1629 Broadway, New York

Inside Stuff—Radio

Aversion of research men to get into the technics of their craft is being broken by Sam Gill in a new series of promotion pieces. Gill has worked up condensations of intricate statistical formulas, and is sending them out to the trade as an aid in day-to-day figure reading. First item in the series is a graph whereby significant differences in two samples of varying size can be calculated. For instance, if a sample of 200 produces a rating of 20%, and a sample of 400 produces a rating of 25%, the graph will show whether not this difference is noteworthy. Similar formulas, graphs and discussions will be presented in follow-ups to the original.

For the first time in eight years Procter & Gamble had the responses to the seed offer on 'Ma Perkins' sent direct to the company instead of to the stations on the serial's hookups. Account had used these returns to check for itself on each station's coverage, county by county, but it apparently now figures that the coverage patterns are generally pretty well set. In the past the offer ran for 10 days. This time it was limited to three days.

Ted Malone, while on his western 'literary pilgrimage to the homes of great authors' for NBC, will do a series of lectures in schools, colleges and sureseat theatres. While in Hollywood he will see what can be done about making a series of film shorts in which poetry would receive, as he terms it, a 'special treatment similar to that given to music by Walt Disney in 'Fantasia'.

Confusion stalks WNEW announcer John Lawrence. His full name is J. L. Folsom but this was confused in the south with Jack Fulton, network singer, so John dropped the Folsom. Now listeners think he's the song-writing Jack Lawrence who penned 'Yes, My Darling Daughter.'

N.A.B. FOOTNOTE TO LABOR'S JIBE ON CODE

Joseph L. Miller, director of labor relations for the National Association of Broadcasters was one of the speakers last Wednesday (12) at the Commodore Hotel, N. Y., during the luncheon-symposium of the American Civil Liberties Union. At an event notable for lawyer Morris Ernst's charge that newspapers and stations should be divorced, the N.A.B. spokesman injected the issue of labor union attitude toward the N.A.B. code. Miller said in part:

'When we finished writing the NAB Code of Program Standards down in Atlantic City two years ago, we were pretty sure that we could count on an unqualified endorsement from organized labor.

'Father Coughlin might not like it. Judge Rutherford might not like it. Some parents might think we should have set up more rigorous standards for children's programs. But organized labor should be with us, 100%.

'What had we done?

'We had said that broadcasting stations were obligated to carry labor programs when they served the public interest. Time should not be sold for such programs. All parties to any controversy raised in a labor program should be afforded an equal opportunity before the microphone.

'In other words, when a national labor issue of importance arose, a nation-wide network was obligated to give the justified amount of network time for discussion from all viewpoints.

'When a labor issue of local importance arose, a local station was obligated to give the justified amount of its time for discussion from all viewpoints.

'Time should not be sold for this discussion because the employer ordinarily could out-buy the union, and thus weight the argument in his favor. That wouldn't be fair play.

'It turned out that labor wasn't with us 100%. A few who conceive of radio as a common carrier, like a railroad, have accused us of the most outrageous censorship, because we refuse to sell a seat before the microphone to anyone who can pay the fare. As Chairman Fly pointed out after luncheon today, denial of requests for time—free or paid for—isn't censorship. 'It is the necessary exercise of discretion by the broadcaster. It is, in fact, physics, engineering and common sense.' You can add a car to a railroad train, but you can't add an hour to the day.

'A great majority of labor leaders, however, have given the code their enthusiastic support.'

Philly Stations Prepare To Educate Repairmen On March 29 Switchover

Philadelphia, Feb. 18.

Philly stations have teamed up to get the public ready for the shuffling of wave lengths come March 29. At a meeting last week reps of six local stations chipped in to a fund to make up an educational film to be shown to radio repair men explaining the big shuffle and methods in fixing push-button sets. Speaker at the meeting was Arthur Stringer, public relations rep for the National Association of Broadcasters.

Attending the session were Arnold Nygren, WFIL; Charles Burtis, WPEN; Clifford Harris, WIP; Milton Laughlin, WHAT; Alex Dannenbaum, Jr., WDAS; and Joseph Connolly, WCAU. Every Philly station except WIP and WFIL are affected by the wave-length changeover.

This week the stations which will change began experimenting on their new wave lengths during the early hours of the morning after their regular signoffs. Stations to switch are WPEN from 920 to 950; WIBG, 970 to 990; KYW, 1020 to 1060; WCAU, 1170 to 1210; WHAT-WTEL (share time), 1310 to 1340; and WDAS, 1370 to 1400.

ORVILLE RENNIE RESIGNS

Ex-Theatre Men Out of KHAS In % Dispute

Hastings, Neb., Feb. 18.

Orville Rennie, formerly of Tri-States Theatres here, who left films to take over the reins of very new KHAS, when it was completed last fall, resigned effective this week (22). Rennie's financial arrangement with the link was for a guarantee and a cut at the commissions, but there was an argument over the commissions which brought the resignation to a head.

He hasn't set a new deal yet.

WGN, WJJD, WCFL TAKE BASEBALL

Chicago, Feb. 18.

Three stations will carry play-by-play baseball in Chicago this season. They are WGN, WJJD, and WCFL. After more than 10 years with baseball, WBBM, the Columbia outlet, will drop it. This is due to the pressure of Columbia network commercials which demand afternoon outlets in Chicago.

Three baseball stations met with baseball reps last week to iron out the royalties set-up, with the stations agreeing to make up much of the money formerly paid by WBBM. WGN, the Chicago Tribune station, is assuming an additional payment of $13,000 to the two ball clubs, while WJJD and WCFL will boost their payments an additional $6,000 apiece.

WGN will continue its baseball under sponsorship of Old Gold cigarets, WCFL will continue with Texaco, while WJJD continues with Walgreen's, which will sublet time to a number of individual products.

COLONIAL SELLS 104 BASEBALL INTERVIEWS

Boston, Feb. 18.

Colonial web has Community Opticians for 104 quarter-hour baseball fan interviews over WAAB, Boston; WSAR, Fall River, and WFEA, Manchester, N. H., starting April 15.

Program titled 'Baseball fans interviewed with Jerry O'Leary' will be heard at 2:45 p.m. when Boston Sox or Bees have home games.

Commonwealth Advertising agency, Boston, handles account.

Belgrano Tiff

Continued from page 27

many sore spots is illustrated by Asociacion demands which include:

Re-formation of the eight orchestras fired by Belgrano.

Recognition of A.G.M.A. as bargaining agent.

Agreement not to reduce salaries or include extra jobs in work.

Six day week and no double auditions on one day.

No program to last more than three hours (long dance programs with alternate bands are popular here).

No non-union orchestras to be permitted to accompany singers without payment of fee.

While strike has been marked by many similarites to U. S. labor disputes, there is no picketing here. Strikers have used extensive publicity methods, however, and plastered thousands of posters and handbills around town.

'Family' More Commercial

Chicago, Feb. 18.

NBC here has decided to change the title on the 'Story of Bud Barton' kid strip show. New tag will be 'The Barton Family,' which is figured as giving the program a better sales chance.

Kid story, which, strangely enough, has no villians, is written by Harlan Ware.

Stan Shaw Flooded

Stan Shaw on his WNEW 'Milkman's Matinee' one morning last week broadcast, 'Please don't send any more wires; we're running out of records.'

It was at 3:30 a.m. and Shaw explained there weren't enough records to cover the flood of telegrams for requests.

From The Production Centres

IN NEW YORK CITY .

William Janney will be starred in 'We Are Always Young,' WOR's contribution to the six-weekly daytime serials Mutual starts next week.... Bob Shayon is producer-director and the script is by Ashley Buck and Nicholas Cosentino....Lloyd Rosenmond, casting director for Air Features, is a faithful legit first-nighter....he even covers ballet openings in his quest for talent....Nora and Delle, colored harmony team, started Monday and Wednesday series over WINS this week....'Joe and Mabel,' weekly 30-minute dramatic-comedy series over WEAF-NBC, starts tomorrow (Thursday) night....it's scripted by Irving Gaynor Neiman and had a one-shot tryout under the title of 'Women and Children First'.... Sam Norvo, formerly with the Rudy Vallee office, has joined WOR artists bureau.

John Latouche may take over the writing assignment of the Helen Hayes program....'Listener's Playhouse' returns Sunday (23) afternoon to WEAF-NBC after a brief interval off the air....Max Ehrlich, author of 'Echoes of History,' over WJZ-NBC, has sold script to 'Big Town'.... 'Lavender and New Lace,' 15-minute variety series, newcomer to WEAF-NBC Sunday afternoons....cast includes Sylvia Marlowe, Felix Knight and Joan Brooks....Eddie Birnbryer writes the continuity....Gay Seabrook, former comedy child impersonator who was stooge on the Joe Penner program, back east and doing commercials....Claire Hazel, formerly a 'Honey Chile' with Bob Hope, also doing commercials.

Al Swenson and Effie Palmer, leads on 'The O'Neills,' back in the script after lengthy absence....Charme Allen to Baltimore for a dramatic commercial spot on 'Truth or Consequences' there....Ed Herlihy also doing a one-time announcer job on the show, replacing Mel Allen, whose regular CBS shows keep him in New York....Alberto Dominguez, Mexican composer of 'Frenesi,' 'Perfidia' and other songs, doing a couple of guest appearances on WEAF-NBC....first will be Friday (21) night....'Father Knickerbocker's Case Book,' dramatizations from the files of New York Catholic Charities, will be aired over WNYC on five consecutive Wednesday afternoons, beginning today....Maj. Edward R. Rhodes now doing a news comment series Thursday nights on WINS.

'Truth or Consequences' booked for the following weeks of vaudeville: Los Angeles, March 6; Minneapolis, March 28; Milwaukee, April 18; Washington, May 2; Detroit later in May....program is limited by Procter & Gamble to only two weeks of vaude a month....'My Diary,' transcribed spot series with Frances Scott, produced by Basch agency for the Avedon specialty shops of Woonsocket and Providence, R. I...,show starts on WPRO, Providence....Jill Esmond, starred on two other 'Wheatena Playhouse' shows, will also be on the next, 'Of Human Bondage'....she's likewise currently in 'Against the Storm' and did a one-timer Monday (17) in 'Friend in Deed.'

Mexican journalist Aldano doing a piece on the Toscanini series.... certs are heard in Mexico City....same visitor lecturing around town at various Spanish-speaking clubs....Ken Dyke didn't know until the last minute whether it was the Kungsholm or Grace Line for his Caribbean holiday away from NBC....C. A. Siepmann, ex-BBC radio exec, in New York this week on visit from Harvard, where he is a Rockefeller fellow.

Bernard L. Schubert, who sold 'How Did You Meet' to Woodbury on his own, is still connected with the Phillips H. Lord office, which makes Schubert both an associate and a competitor. His tie-in with Lord is on the 'Mr. District Attorney,' 'Gangbusters' and 'By Kathleen Norris' shows.

IN CHICAGO . .

Eleanor Engle added to cast of 'Scattergood Baines'....Morton Downey and Andrews Sisters interviewed by Tommy Bartlett on the 'Celebrity Circle' show....Sid Ellstrom, Willard Waterman now in 'Right to Happiness' program, Bill Farnum and Peggy Knudsom with 'Woman in White' program....Harold Betters, "Doggy Dan,' now has three daughters.... Henry Hayward now handling production assignment for 'Design for Happiness' show....Additions to cast of 'Jack Armstrong' are William Green and Butler Manville.

Bob Bailey, Frank Carlon added to cast of 'Houseboat Hannah,' Margaret Fuller and Glenn Ransom to 'Ma Perkins' and Duke Watson to 'Kitty Keene'....1940-1941 edition of the Tony Wons Scrap Book is on the stands ....Mary Paxton and Durward Kirby plan a wedding in June. She is script writer for the Stack-Goble agency and is on the air with her own 'Wishing Well' program for Carson, Pirie & Scott and he is announcer with NBC....Bob Elson, WGN sportscaster, readying to make a baseball flicker for Republic this spring....Frank Wilson now tonsilling for the Evans fur firm on WGN....Stan Corley exits as announcer with WIND here to become program director for KBIZ, Ottumwa (Ia.).

WHAS' Army Program

Louisville, Feb. 18.

WHAS in cooperation with officers of the First Armored Division, U. S. Army, is readying a weekly 30-minute program from Fort Knox, Ky., to be aired Saturdays at 7 p.m. CST.

Programs will originate in the post gymnasium, with seating accommodations for 1,000 officers and men.

MEAKIN, LEADER JOIN NBC PROGRAM DIV.

Jack Meakin, who was briefly musical director and house bandleader at WOV, New York, has joined NBC as a program producer. His first assignment is the Phil Spitalny show.

Anton Leader, formerly of WMCA, New York, has joined the NBC production staff as director-producer.

To
GEORGE BURNS
and
GRACIE ALLEN

Your personal appearance in Toronto last Friday was a tremendous success and an important contribution. Thanks for coming.

Canadian War Finance Radio Committee.

CHOICE SPOTS IN BALTIMORE RADIO Still Available for National Advertisers

WITH, Baltimore's newest radio station—covering Baltimore from a "Baltimore" angle—will open Saturday, March 1st.

But already 52 big local advertisers have endorsed this different kind of coverage by contracting for time over WITH.

Real local coverage means *sales* — and no one knows this better than local business people.

If you are a national advertiser—or if you are connected with a national advertiser—and you agree that something *is* missing in Baltimore radio, better look into WITH!

Choice spots still remain for national advertisers, and reservations are now being accepted on pre-opening rate card—with rate protection for one year.

For full particulars, write: Tom Tingley, president.

STATION WITH
BALTIMORE, MARYLAND

Announcing...

A New Method of Determining

"EFFECTIVE COVERAGE AREAS"

of NBC Networks

1 The first to be based on a nationwide All-County Survey of station listening habits and preferences.

2 The first to measure all stations on a uniform standard.

3 The first to use as its standard the network effectiveness in the cities where advertisers' national program ratings are made.

★ ★ ★

ADVERTISERS have long desired a method of determining the effective coverage of their networks throughout the entire country, as well as in the cities where the regular national program ratings are made. These program-survey points represent only 25% of the nation's radio families—and without network "effective coverage" data for the whole country, adequate merchandising could not be efficiently planned on a national basis.

Now, after several years of intensive study, the National Broadcasting Company announces a new formula by which it will be possible to map network "effective coverage areas," on a basis comparable to those standards already accepted by advertisers for one-quarter of the nation.

These new measurements will provide coverage maps which will enable an advertiser to concentrate his merchandising and sales promotion activities in those areas where his radio advertising makes its most effective bid for listener attention.

On or after March fifteenth, both networks of the National Broadcasting Company will provide their clients with exclusive *effective coverage area* maps of their particular networks.

NATIONAL BROADCASTING COMPANY

A Radio Corporation of America Service

'DR. PEPPER PARADE'
With Jack Arthur, Margaret McCrae, The Four Showmen, Molasses and January, Peter Van Steeden orch.
Transcription
30 Mins.—Local
DR. PEPPER BOTTLING CO.
Friday, 9:30 p.m.
WOAI, San Antonio
(Benton & Bowles)

Dr. Pepper Bottling Co. of Dallas, through its new New York advertising agency, Benton & Bowles, has transcribed this series, which is expected to be aired on 33 stations. On paper and in content it is the old 'Showboat' of Benton & Bowles.

What started out to be a socko show, with music, comedy and songs, turned out on this hearing to be a plugfest for the product done (a) straight, (b) in jingles, and (3) in comedy form by everyone in the cast. Pretty corney even for the corn country.

Show opened with an 'original' home paraphrased from Stephen Foster. There followed songs and patter by Pretty Peggy Pepper (Margaret McCrae) who showed fine song style but put on a too-syrupy Southern drawl when talking, comedy by Molasses and January (Pick Malone and Pat Padgett), who garnered nice laughs with their minstrel gagging and scenes at a box and a rodeo. Jack Arthur does a first rate job of emceeing the show and doubles to excellent advantage in a vocal duet with Miss McCrae. Presumably he should sing more and give out with commercial copy less on future cuttings. The Four Showmen quartet provided nice support to the other stars in their songs but are not heard by themselves, which is also lamentable.

A steady, dependable stick is provided by Peter Van Steeden. Best of their bits were 'Little Sleepy Head' and 'Accidentally on Purpose.'

Commercials stress and stress the fact that Dr. Pepper is good for you and should be taken at 10-2 and 4. There is also a handy six bottle carton at your grocer for a quarter.
Andy.

AUGUSTIN LARA
With Parthon Reminez Orchestra, Songs
15 Mins.
Sustaining
Friday, 7 p.m.
WJZ-NBC, New York

Trend to cultural relations with Latin-America having become a major point of interest in the field of American communications, NBC has started some of the better known Latin-American conductor-composers on a northern trek to show their stuff before the network's mikes. Augustin Lara, the first of these invited guests, was given four 15-minute spots during the past week. Alberto Dominguez, Mexican leader and composer of 'Frenesi' and 'Perfidia,' is No. 2 man in line. They also play a part as BMI propaganda. Both are foremost Mexican composers.

Lara had as vocal aid for his series Parthon Reminez, Argentine baritone, whose lyrical pipes proved quite an asset to the program. Lara's performance of his own compositions were strictly according to Latin-American tradition, but the numbers disclosed the composer has a wide diversity of style, mood and type. The material flows easily from gypsy melodies, a composition calling for three violins and a piano, and to modern dance rhythms.
Odec.

Rocky Mount, N. C.—David Connor has joined the staff of WEED as announcer-newscaster.

'FOUR CORNERS, U.S.A.'
With Parker Fennelly, Arthur Allen, Jean McCoy, Jackie Jordan
30 Mins.—Regional
OLD GOLD CIGARETTES
Sunday, 3:00 p.m.
WNAC, Yankee, Boston
(J. Walter Thompson)

The homespun philosophy of the former 'Stebbins Boys' has been revived by J. Walter Thompson with an added modern touch of 'scientific salesmanship' and re-titled as 'Four Corners, U.S.A.' It's getting a regional try-out.

Arthur Allen plays Jonah Crowell, father of a smalltown New England family, while Parker Fennelly is Eben Crowell, his brother and publisher of the 'Clover Hill Weekly Clarion.' The story relates struggle of brother against brother, and is heavy with 'family' atmosphere in Jonah Crowell household. Jean McCoy is Mary Crowell.

All characters are well cast and initial broadcast ran smoothly throughout. Special mention deserved for commercial blurb writers, who cleverly wove in brief mentions of product and left the long announcement to be dramatized at close of program. Latter plug was interesting enough to lend ear without turning to another program.

Towards close of program Jonah Crowell meets some business competition from his neighbor's son and has to listen to a lecture on 'scientific salesmanship' with a discourse on economics which seemed somewhat forced, although sensible in its arguments.
Paul.

'COAST TO COAST'
With Malcolm Child, Lou James
15 Mins.
Sustaining
Monday, 11:45 p.m.
WBBC, Brooklyn

This chatter and comment program about Broadway and Hollywood is notable chiefly for the fact that Malcolm Child and Lou James present their gab in the form of a telephone conservation; theoretically from Coast to Coast—hence the show's title. It's a listenable offering for an obscure Brooklyn station.

Child and James have agreeable deliveries and suitably breezy manners. They crowd considerable material into broadcast, too. But there's little they say that any Brooklyn resident within reach of a Manhattan newspaper wouldn't already know. Such items as the splurge of Hollywood buys of Broadway shows, Orson Welles' production of 'Native Son' as a play, Norman Kerry's return to the U. S., Nils Asther's appearance in 'Night of January 16th,' and so on, are all old stuff. And the lads' picture and legit reviews are tepid. If they want to get a quick rep, they should pan everything—but then maybe they couldn't get passes.

They run a contest each week, with free tickets to various in-between Broadway shows for listeners who guess the identity of an anonymous biographical sketch. On Monday (17) night's edition, the second sentence was an outright giveaway that the subject was Jeanette MacDonald.

There was one bit of news on the show. Larry Adler, guest interviewee, revealed that he is planning a concert tour with Paul Draper. But Adler, who's most eloquent with a harmonica, hadn't brought that with him. Incidentally, Child and James abandon their telephone routine for the interview session.
Hobe.

'THE OFFICE OF PRESIDENT'
45 mins.
BBC, London

For added listener appeal this drama piece aired night following President Roosevelt's inaugural. Alistar Cooke scripting impressed more as a pre-election boost for F.D.R. than explanation for strangers to American background.

Opening sequence around new citizens taking the oath went out sans explanatory setting, making it tough for listeners unware of what was back of the proceedings. Fault was perhaps centered at this end, with BBC putting on the script as received from Cooke. Latter probably had a rather different idea in mind when scripting the piece to that which prompted London to seek its material. Title probably misled them.

VERMONT BAD FOR AD LIB

By HARRY PAUL

Boston, Feb. 18.

Vermonters are not only famous for their steadfast rain-or-shine Republicanism, but for the dour, uncommunicative nature of the citizenry. They aren't famous for talking freely to strangers. And these traditional truisms stood out last week over the Colonial network (reviewed on WAAB, Boston) when RKO's 'Scattergood Baines' had its premiere at the Capitol theatre in Montpelier with Guy Kibbee on hand from Hollywood.

It was a pretty painful assignment for glib, nimble-minded Ruth Moss from the Colonial web staff. Her questions were interesting, but the replies were not. She got typical Vermont let-it-lie monosyllabics. That meant Miss Moss asked the questions and more or less had to answer them herself. It was a grueling session of the kind that is a nightmare to all radio special-eventsmen.

Mike fright hit the Vermonters hard. Lifelong habits of measured speech were aggravated by the fear of the sound-box. Adlibbing to questions just isn't in the Vermont line.

'I can't read this damn thing'—uttered by Mayor William Corry of Montpelier—was merely one of a series of unlooked for remarks from mike-fright sufferers. Corry previous to the broadcast requested Miss Moss to write out her opening words on introducing him, although rest of program had no script. Miss Moss said to Corry on the broadcast: 'I would like you to introduce Mr. Kibbee to Montpelier and New England,' and Corry repeated her lines, and then broke into 'damn, etc.,' but continued reading his prepared speech on finding his place in the script.

When the citizens proved taciturn some politicians grabbed the chance and used up so much of the 15 minutes that Kibbee was lucky to have one full minute to spring a gag that he had campaigned 33 years ago for Democratic party (Vermont has always been Republican stronghold) which met with laughter.

'THE MISSUS GOES A-SHOPPING'
Transcribed
15 Mins.; Local
PEPSI-COLA
M-W-F, 8:30 a.m.
WABC, New York
(Newell-Emmett)

This comedy-novelty quiz show, transcribed at neighborhood grocery stores in various communities in the Greater New York area, should gather a solid housewife audience. It has human interest, comedy, listener-identification and a competitive angle. Incidentally, it works in what must be almost a record number of product mentions in the 15 minutes.

Working with recording equipment on a special truck, announcer John Reed King and a crew of assistants and technicians visit shopping centers during busy hours and, gathering a crowd of shoppers and idle-curious, put the 15-minute programs on wax. For each chapter, King gets four women to the mike. He tries to guess the weight of each, always diplomatically underestimating a bit, then asks them personal, but innocuous, questions. There are numerous prizes (usually groceries) given all the contestants and each gets a carton of six Pepsi-Cola bottles for trying to sing the product jingle. One drawing most applause on the meter then gets an additional $5 cash prize. Show has one straight commercial and innumerable incidental ones.

Redeeming factor on the show is King's laughable, yet unobjectionable spoofing of the femmes. He and they make it rather lively interlude, particularly so early in the day. Monday (17) morning's edition originated at the Sunrise Super Market, Valley Stream, L. I.
Hobe.

'GASOLINE ALLEY'
With Jimmy McCallion, Janice Gilbert, Clifford Soubier, Junius Matthews
15 Mins.
Daily, 6:45 p.m.
WEAF-NBC, New York

In an apparent bid for the family trade, NBC launched this new strip serial Monday (17) evening in the 6:45-7:00 p.m. spot on red (WEAF) network opposite Lowell Thomas on the blue (WJZ) and the European news roundup on CBS. It's a tough assignment. 'Gasoline Alley' is adapted from Frank King's comic strip of the same name. Kane Campbell is doing the scripting, with Charles Schenck directing. Jimmy McCallion, as Skeezix, is the only actor getting billing. Others in the cast Monday were Janice Gilbert as the girl friend, Nina Clock; Clifford Soubier as Wumple, Skeezix's boss, and Junius Matthews as Ling Wee, a waiter in a Chinese restaurant.

First chapter of the series indicates that Skeezix is going to occupy the limelight in the story. He's just celebrated his 20th birthday and is starting to raise a mustache and is pretty thwarted because gal friend Nina doesn't notice. A philosophical American-born Chinese waiter with a sub-rosa master's degree seems likely to be in the script frequently to lend 'character' and offer sage advice to the young hero. Latter also appears destined to have all sorts of minor adventures and tribulations as he's embarking on his business career. Gal friend Nina is merely a foil, so far.

It all seems reasonably workmanlike and credible, but just a little innocuous compared to its opposition.
Hobe.

JERRY VERNO
Comedian
10 mins.
Saturday, 7:30 p.m.
BBC, London

Verno came over from pantomime show at the Coliseum where he's currently earning laughs in 'Aladdin.' The laughs followed him here, and if he can repeat with like material radio should keep him occupied. Far as known it's his first air chore as an act. Occasion was Geraldo's 'Open House' (18) with comedian using Victor King as straight for the patter. Verno showed himself at home with the mike, smart on timing and an easy, smooth working of his routine.

'Open House,' built around Geraldo and his musical crew, is much improved since its bow in some weeks back. Production has been tightened and cheerless gaps, of which show had plenty, are not now as apparent. Guest talent also shows more thought in spotting.

KMOX
50,000 WATTS
ST. LOUIS
CBS

First with advertisers, dealers, consumers for eight consecutive years

Ask any Radio Sales office for more information about KMOX, one of the sixteen CBS 50,000 watt stations.

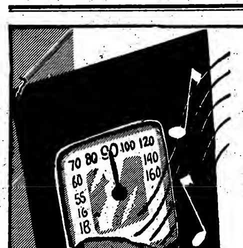
Follow-Up Comment

James L. Fly, chairman of FCC, at annual dinner in Hotel Commodore, New York, of American Civil Liberties Union, when after a grandiloquent sendoff by Dr. John Haynes Holmes, that 'he was the traffic officer of the air' and that upon his division; 'more than any other in the Government, depended the preservation of freedom of speech,' dryly remarked: 'That's an awful introduction.' Fly, who delivered a carefully-prepared, quotation-studded address of some 15 minutes over Mutual, touched off additional guffaws by relating 'simple solutions' offered FCC by listeners. A man in Georgia suggested banning news from Germany; another in New Jersey advocated prohibiting all newscasts; a woman in Pennsylvania wanted 'all radio stations shut down' until 'peace comes to this war-torn world.'

No such easy solutions of the problem were practical in a democracy, said Fly, as he swung into his main thesis. This was the responsibility of station operators to 'serve the public interest.' By selecting programs they thought best would accomplish this; by giving all sides an equal opportunity to be heard on controversial matters; by refraining from using a transmitter to air their personal views. Fly, a clear miker, made several reference to recent FCC decision, on last-named point, affecting 'a New England station.' He voiced highest tribute to manner radio 'met the test' in 1940 presidential campaign—'broadcasting industry can pride itself' in performance of 'this public service' and other media may do well to imitate it.' Visual audience applauded when FCC chief declared the functioning of distinguishing truth from error and right from wrong should be 'at the receiving not the transmission end.' FCC chairman said he could foresee 'no emergency so grave' that the government would take over broadcasting from private interests.

Fred Allen made a novel contribution to radio last Wednesday night (12) on his Texaco broadcast (CBS). He gave point to his closing gag by having himself doused with the contents of a seltzer bottle. The incident had been preceded by a burlesque on 'Truth and Consequences.' Curiously the comedy content in this burlesque passage was not so much in the fun-poking at Ralph Edwards' Saturday night stanza as in the gag commercials which studded the take-off. The highpoint of this gag copy was that here was a dentifrice that among other things contained tooth-paste.

Frank Luther-Zora Layman Singers on NBC Sunday morning (16) carried more than accustomed quota of variety in its weekly review of American music and distinguished folks connected certain tunes. Frank Luther again carried on alone in the absence of Zora Layman, who is still away in Texas because of a sister's illness. Besides the brief dramatization of Stonewall Jackson's life with symbolic music and an incident of clipper-ship days, approximately half of the broadcast was given over to American minstrelsy. Cliff Soubier, who's had his own minstrels on the air for years, was the authority for explanations on old-time minstrel performances. Spencer Bentley presided as interlocutor of a typical minstrel show with Soubier participating as end man. Direction and supervision by Winthrop Orr indicated meticulous care.



In Detroit It's WWJ--

All listener-interest surveys show that Station WWJ has more listeners in Detroit than any other radio station in this great market! Is your Detroit program on WWJ?

WWJ
National Representatives
George P. Hollingbery Company
New York • Chicago • Atlanta
San Francisco • Los Angeles

If your client, too, finds "July is bigger than Texas . . ."

DO THIS SUMMER'S THINKING . . . EARLY!

If your client makes more sales in *July* alone than in all Texas or California or Illinois in a year, if July is the bigger *market* for him . . .

And if you plan to protect his Summer market this year . . .

May we suggest you start planning early?

This is why—

1. **RADIO** in the judgment of advertisers themselves, is the best road to the nation's markets. (The increasing use of the networks by the country's shrewdest advertisers is steadily breaking *all* records.)

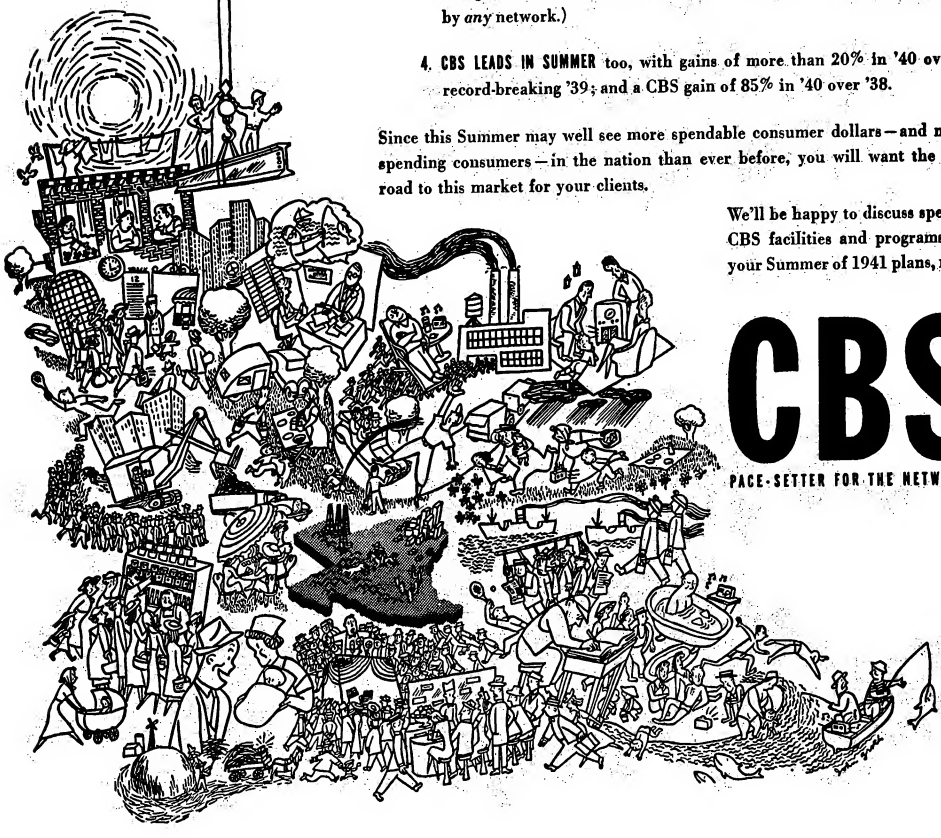
2. **SUMMER RADIO** rides the swiftest rising curve in all radio. (Summer Radio in 1940 was the highest high in history.)

3. **OF ALL NETWORKS, CBS IS FIRST** (CBS carried a greater volume of advertising in 1940 than any other network; more than was *ever* before carried by *any* network.)

4. **CBS LEADS IN SUMMER** too, with gains of more than 20% in '40 over a record-breaking '39; and a CBS gain of 85% in '40 over '38.

Since this Summer may well see more spendable consumer dollars—and more spending consumers—in the nation than ever before, you will want the *best* road to this market for your clients.

We'll be happy to discuss specific CBS facilities and programs for your Summer of 1941 plans, now.



CBS

PACE-SETTER FOR THE NETWORKS

Payroll Traffic

Minneapolis.—Jack Holbrook, who handled the three daily 'Streamlined News' broadcasts WDGY when that feature was originated a year ago, has just returned to the station here after a six-month absence leave. During his absence Holbrook organized the WGTC program department which went on the air at Greenville, N. C., in June, 1940. He's doing 'Streamlined News' at WDGY again.

San Antonio.—Jack Keasler, commercial manager of stations KGKO-WBAP, Fort Worth, and WFAA, Dallas, has resigned to become affiliated with the commercial department of WOAI.

Several staff changes at KABC due to the leaving of Bob Knox for another post in the east. Russ De Weese, former announcer, takes over former continuity duties of Knox. Dave Young, of the sales staff, steps in as announcer replacing De Weese.

Buffalo. — With tune-checking a vital item since music war, WBEN has moved Dorothy Bayer from reception staff to full-time job clearing all songs played over WBEN and its sister-station, WEBR.

She doubles as staff organist.

Jamestown, N. Y.—Spieler Tom McKee has shifted to WPIC, Sharon, Pa., with George Pfluger taking his place on WJTN staff.

Tulsa, Okla.—Muriel Iams now with WTUL's continuity department. Formerly with KXYZ, Houston.

New London, Conn.—Ed Dyjack, from Woonsocket, R. I., replaced Jack Adams as technician at WNLC. Frank Boone of New London hired as announcer.

New Haven.—Bob Lockwood leaves WELI's spieling staff Feb. 22 for his year with Uncle Sam.

Columbus, Miss.—Paul Cresap upped from announcer to program director of WCBI, Columbus. He's succeeded as announcer by Joel Byers, formerly of Birmingham. Edward Currie, formerly with Eastern Airlines, has joined the engineering staff of WCBI.

Chicago.—Milton Rubel joins sales staff on WIND, Chicago-Gary.

Toledo, O.—Jean Wright, who was formerly director of women's activities at WTOL, Toledo, has been named program director of the station, and Allan Miller becomes production director and assistant station manager.

Boston.—David S. Garland, former advertising manager for a Lynn, Mass., department store, became WEEI sales promotion manager, succeeding George R. Dunham, in same capacity, now with CBS in New York City.

Regina, Sask.—Dorothy Norfield left CBK, Watrous, Sask., and replaced by Luella Johns.

Oakland—Hal Chambers, formerly with stations from Juneau, Alaska to Tijuana, Mexico, has finally alighted at KROW, replacing Bob Goerner, on leave of absence due to ill health.

Janet Jordan, contralto, added to KGO-KPO vocal staff.

Charlotte, N. C.—William McGregor Parker new staff salesman at WBT. Formerly with WJEJ, Hagerstown, Md., and WRAL, Raleigh, N. C.

Lee Kirby, who has been seriously ill for more than two months with an ulcerated stomach, and Bill Bivens, who suffered an unusual paralysis of the face some two weeks ago, have both returned to their duties as staff announcers.

Lincoln, Neb.—Ed Letson, who just recently did his 2,000th broadcast of the news on KFAB and KFOR, left (28) for KDKY, Salt Lake City, Utah. Harvey Swenson, stepped in his news job here. Janet Legge, KFAB, leaving to go domestic, wedding KFAB engineer Mervin Damme.

Cleveland.—Etta Wilson, former Woman's Page Editor of Cleveland Press joins staff of WCLE in similar capacity. Miss Wilson doing daily 15-minute show, Monday through Friday under title, 'The Party Line.'

Longview, Texas—Foster W. Fort, former manager of the Marshall, Texas, studios of station KFRO has resigned to become affiliated with the Longview New-Journal as salesman and staff photographer. He was formerly with KCMC, Texarkana, KABC, San Antonio and WACO, Waco.

Sioux City, Ia.—James V. Montgomery, chief announcer for the last four months at KSCJ, Sioux City, has resigned to take a similar post at KFRO, Longview, Texas.

Richmond, Va.—Bill Filler, former manager of local sales of WMBG, has been appointed manager of the promotion department, City of Richmond utility division. He is succeeded at WMBG by Walter Bowry, formerly in the insurance business.

Sharon, Pa.—Tom McKee, formerly with WJTN, New York, has joined the announcing staff of WPIC, Sharon.

Richmond, Va.—Felix Boswell, formerly an announcer at WMBG, has been commissioned a first lieutenant in the Royal Flying Corps.

Toledo.—Dick Roll, for the past four years with WHIO, Dayton, has joined WTOL, Toledo, assigned to newscasts.

Ft. Wayne.—John Hackett, chief sports announcer at WOWO-WGL for last six years, has taken new job at WING, Dayton.

Rex Dale, baritone, has been added to staff of WOWO-WGL.

Chicago.—Burton Feldman agency here has added a publicity division and has brought in three men to handle this department.

Men are Austin O'Malley, William Fitzgerald and James McGuinn.

New York.—John Ruddley, formerly with Macy's and American Can, new draftsman in charge of construction maintenance at WOR, New York, replacing Erwin Towle. Latter resigned to join the architectural department of American Air Lines.

Abilene, Tex.—Jack Wallace, formerly program director of KRBC, Abilene, has been appointed general manager of its sister station, KBST, Big Spring. He is succeeded at KRBC by Frank McIntyre, formerly news editor of KGVO, Missoula, Mont.

J. B. Casey, chief engineer of KBST, transfers to a similar post at KRBC, while Andy Jones, engineer at the latter station, goes to KBST as chief engineer. Fred Hammond, formerly KRBC chief engineer, has been called for military service.

Steele McClanahan, formerly of WCMI, Ashland, Ky., and WNOX, Knoxville, Tenn., is the new director of sports at KRBC and Don Phillips, previously with various Texas stations, has joined the KRBC announcing staff. Both KRBC and KBST are owned by the Hanks-Harte interests.

New York City.—Edgar R. Wilde, formerly with the Fizdale and Ferris publicity offices, has been appointed advertising manager of the Phillips-Jones Corp., N. Y., manufacturers of men's shirts.

Atlanta. — Larry Alexander is latest addition to WSB, Atlanta, announcing staff. He's previously of WDNC, Durham, N. C.

Memphis.—John Ward, account executive of the Lake-Spiro-Shurman ad agency, appointed director of creative work for the firm.

New York City.—Robin Kinkead has joined the magazine division of the CBS publicity department.

Boston.—David S. Garland, formerly with the Snow agency as account exeoutive, has been appointed sales promotion manager of WEEI, local CBS outlet. He succeeds George R. Dunham, Jr., who has joined the network promotion staff in New York, handling CBS-owned and operated station promotion.

Pittsburgh—Milford Flack, formerly with Pennsylvania Central Airlines as a radio operator, has been added to the engineering department at WWSW. He replaces John Kinsel, who has been called to full-time service with the National Guard.

Schenectady—Oscar H. Junggren, formerly of the WGY news department, into the army as a first lieutenant. He's graduate of Manlius Military Academy. Kenneth G. Powell, from WENY, Elmira, N. Y., is now on staff of WGY, Schenectady.

Lynchburg, Va.—Ray Tyree, former advertising manager for a paint manufacturer, has been named sales manager at WPID, Petersburg, Va. Takes place of E. B. Pickard who died suddenly.

Wichita, Kas.—Shorty Gleeson formerly with station KTUI, Tulsa, now on engineering staff of radio station KFBI.

St. Louis—Recent additions to WIL, St. Louis, include Bob Rawson, spieler, formerly with WILL, Urbana, and WDWS, Champaign, Ill.; Frances Mary Rice, Gontinuity Dept., formerly of KWK, St. Louis; and Margaret Hanken, also to the Continuity Dept.

Jack Garrison, formerly with WJR, Detroit, gabbing at KMOX.

Manufacturers Assn. Starts 'Defense' Series

'Defense of America' is a new NBC red weekly 30-minute series aoout the nation's rearmament program. Broadcasts will originate in various plants manufacturing war materials, at 7:00-7:30 p.m. Saturdays starting this week (22). It will be done in cooperation with the National Association of Manufacturers. Paul DuPont is producer.

First program will be from a machine tool factory in Cleveland. Subsequent shows will come from an aircraft plant at Santa Monica, oil field at Tulsa, tank factory at Peoria and from varicus other industrial centers.

Roy Robert Dies at 40

Atlanta, Feb. 18.

Roy Robert, 40, one of Atlanta's pioneer radio news commentators, was found dead last week in his room in a downtown hotel. Robert had been in failing health for several years and had been dismissed from Veterans' Hospital here only a week before his death.

Robert was for several years radio news editor of Atlanta Constitution, handling several newscasts daily over WGST, CBS outlet. Previus to that he was editor of Americus Times-Recorder and Athens Times as well as feature writer for Constitution and defunct Hearst's Georgian-American.

YOUNGSTOWN KID SHOW

WKBN, Junior League, Parent-Teachers Are Participating

Youngstown, O., Feb. 18.

A radio program designed for child listeners above the third grade, found to be a specific need in a survey by Mahoning Valley educators, will be presented over WKBN, Youngstown, beginning Feb. 20, at 5:15 p.m. The program, called 'Buffalo Bill,' scripted by Jean Wilson Patton, is being presented through the cooperation of Youngstown schools and the library and Parent-Teacher groups.

Mrs. Benton North heads the Junior League committee for the work, co-operating with Wayne Johnson, of WKBN; Miss Harriet Orr from the library; Mrs. Claude B. Norris from the P.T.A. Council (Parent-Teachers Association); and Miss Evelyn Thomas, school principal.

Clubwoman Is In On Minneapolis Programs

Minneapolis, Feb. 18.

Lives of courageous Minnesota women will be dramatized in a new series of 13 programs on WCCO, starting at 3:45 p.m., Feb. 22. Title of series, sponsored by the Minnesota Federation of Women's clubs in cooperation with the National Youth Administration's Radio Workshop, is 'Pioneer Women.' Max Karl, WCCO educational director, will direct.

Mrs. G. B. Palmer, chairman of the women's clubs' radio division, is planning the programs which will help to celebrate the Federation's 50th anniversary.

Kid quiz program on WOL here, sponsored by Twin City Dodge dealers, has Mrs. George B. Palmer to head a committee which selects the children for the quizzes.

Northwest Airlines is cooperating jointly with KSTP and the Minnesota Federation of Women's clubs in the airing of a new non-boxtop thriller for kids, 'The World Adventure Club.'

Show, which promotes travel and interest in foreign lands, is aired Saturday afternoons. Airline company, to tie-in with the travel motif, is providing all the giveaways, including special maps to cover routines mentioned in the series, and a membership card superimposed with the Douglas airliner and Northwest's insignia.

Nix WQAM 'Class' Bid

Washington, Feb. 18.

Plea of WQAM, of Miami for a Class III-A station rating was found 'out of order' last Thursday (13) and therefore dismissed by the Federal Communications Commission. Classifications of 'Class I,' 'Class II,' 'Class III-A,' 'Class III-B,' and 'Class IV' stations were described as a 'matter merely of administrative convenience' by the Commish, in its decision and order on a petition to classify WQAM as a 'Class III-A' broadcast station.

A separate application to boost WQAM's power from 1 to 5 kw will be considered on its own merits, the FCC decreed. The decision handed down last week 'relates exclusively to the basic request for classification' of WQAM as a Class III-A station, it was added.

In this connection no change whatsoever in the status of petitioners station is requested other than designation as a 'Class III-A station,' it was decreed. Petitioner alleges, it was further stated, that WQAM has the requisite channel assignment, power assignment, and interference-free service area to qualify as a Class III-A station as defined by the Standards of Good Engineering Practice, adopted June 23, 1939.'

Schlitz Suds Sad

Milwaukee, Feb. 18.

Schlitz in over half a century of advertising has spent millions of dollars popularizing its slogan: 'The Beer That Made Milwaukee Famous,' but since Horace Heidt's broadcast Thursday night (13) there is wonder here.

A Milwaukee man, Sylvan Saichek, won the $1,000 'Pot o' Gold' and when Heidt got him on the phone to tell him of his good luck the bandleader said laughingly:

'Tell me, Mr. Saichek, what made Milwaukee famous?'

Without an instant's hesitation, the local man replied:

'Heinie and his Grenadiers!'

Jesse Thompson has joined the promotion department of the NBC blue network.

ANOTHER TEXAS REGIONAL UP

Amarillo, Tex., Feb. 18.

A central office representing members stations of the Taylor-Howe-Snowden group has been opened in Dallas with Ken Sibson, former manager of KGNC here, in charge of operations. Rose Enns of KTSA, San Antonio, will be executive secretary to Sibson. Guy Bradford, assistant to Sibson here, takes over the duties as general manager of KGNC.

With this formation another potential Texas regional web has been formed which offers advertisers a package of Texas radio coverage under the same supervision with parallel station policies of merchandising and operation.

Stations making up the combine are KGNC, here; KTSA, San Antonio; KFYO, Lubbock and KRGV, Weslaco.

'THE O'NEILLS'
By JANE WEST
NOW RADIO'S MOST POPULAR FAMILY BRINGS YOU MORE
LAUGHTER TEARS AND HEART-THROBS
Presented by Ivory Soap - 99 44/100% pure
LISTEN IN TWICE DAILY
NBC Red Network, 12:15 to 12:30 P.M., EST
WABC—5:15-5:30—CBS
COAST TO COAST
Dir. COMPTON ADVERTISING AGENCY
MGT. ED WOLF—RKO BLDG., NEW YORK CITY

ZANESVILLE
A Fort Industry Market
We Went
To the
DEVILS!
When the Zanesville High School Blue Devils (basketballers) travelled 1,245 miles to play out-of-town games, Radio Station WHIZ went to the Devils to give the folks back home play-by-play description.
Enterprise such as this is rewarded by the listeners — and the loyal WHIZ audience in Central and Southeastern Ohio is proof of the fact.
A FORT INDUSTRY STATION
WHIZ
ZANESVILLE, O.

WHEELOCK'S PACT RIDERS

Philco Sponsors Frazier Hunt On KFI; Beechies, Chiclets to KNX

Los Angelos, Feb. 18.

Dat ol' debbil minus was given the slip last week and all units rallied for the first concerted drive to higher levels in weeks. While not of the blitz variety, nonetheless the increases were significant of a sustained general rise down through the spring months. Contracts for future biz also moved with the upturn, with KNX and the two NBC affiliates, KFI-KECA, blocking out considerable time.

KFI: Bullock's Department Store, 39 quarter-hour periods of Art Baker's 'Today at Bullock's,' through Dana Jones; Malto-Meal, 84 announcements, through H. W. Kastor; Baldwin Motor Co., 13 quarter-hour broadcasts of 'Musical Clock,' through Chet Crank; Rhodes Studio (piano lessons), 52 quarter-hour periods of 'Piano Moods,' through Ted Dahl; Baker Shoes, 26 announcements, through Sidney Garfinkel; Philco Radio, 156 quarter-hour commentary by Frazier Hunt, through Hutchins Adv.

KECA: Nassour Bros. (toiletries), 26 quarter-hour broadcasts of Erskin Johnson's Hollywood gossip; William Minteer (taxation service), 13 quarter-hour broadcasts of 'The Guest Book,' through Smith & Drum; Paul Hoffman (Studebaker), 12 one-minute transcriptions, through Dana Jones.

KNX: Beech-Nut Gum, 40 announcements, through Newell-Emmett; American Chicle, 65 five-minute newscasts, through Badger, Browning & Hersey; Nob Hill Coffee, 85 announcements, through McSann-Erickson; Rockwood Candy, 40 five-minute programs, through Federal Adv.; Sheaffer Pencils, 32 time signals, through Russell M. Seeds.

KHJ: Lydia Pinkham, 45 announcements, through Erwin, Wasey; White Laboratories (Chooz), 30 announcements, through H. W. Kastor.

GEBHARDT CHILE BACK ON AIR VIA KTSA

San Antonio, Feb. 18.

At the time of going off the air several years ago, the Gebhardt Chile Powder Co. were sponsors of the oldest commercial on the air which was broadcast over WOAI here. This week they returned to the air as sponsor, on Monday, Wednesday and Friday, of the oldest Man in the Street broadcast being aired through station KTSA. Program on Friday last reached its 1,456 continuous broadcast.

The Sieberling Rubber Co. has started a series of thrice weekly broadcasts over the Texas State Network, with the first airing heard on Monday, Feb. 17. Broadcasts are to be heard each Monday, Wednesday and Friday from 7:45 to 8:00 a.m., CST.

Music on the broadcasts will be that of the Crystal Springs Ramblers and the Desert Drifters, and will be titled Seiberling Easy Steppers. Broadcasts will originate from the TSN Fort Worth studios and will be carried by 12 outlets.

KONO: Texas Soft Water Co., three quarter-hour weekly programs titled Meridian Melodies; Grand Rapids Furniture Co., eight announcements per day.

KABC: San Antonio Florist Association, 15 announcements per day, Monday through Friday, for Valentine Day; Texas Exposition Shows, three additional announcements per day; Tankersly, two additional announcements per day; Joske Bros. Store, five additional announcements; Interstate Theatres, Inc., quarter-hour program for stage show 'Man Came to Dinner' which will play here on Tuesday (18); Martin Neal Motor Co., six announcements per day.

Ray Dady's Sponsors

St. Louis, Feb. 18.

Ray Dady, station manager at KWK, is currently doubling as news commentator with two sponsors bankrolling his daily stints: Dady's 'Sidelights On the News,' a 15 mins. a.m. news dissertation is bankrolled by the Papendick Bakery Co., St. Louis, hits the ether at 8:45 o'clock.

His second, five mins., 'Sunset News' is sponsored by the Studebaker Motors. This goes on the air at 6 p.m. In between Dady takes care of his other varied duties.

WBBM LANDS SOCONY ¼ HRS.

Chicago, Feb. 18.

Two big money and time deals were set for local and national spot in Chicago last week, with WIND selling 26 hours of commercials weekly to the Bird-Sykes auto dealers and WBBM disposing of two 15-minute daily strips to Socony-Vacuum.

Business was strong throughout the radio situation, with time continuing to be a highly marketable item on all stations.

WJJD: Blue Ribbon Books, three five-minute periods weekly, through Northwest Radio; Joy Candy Co., two announcements daily, through Malcolm-Howard; Aurora Laboratories, 60 announcements weekly for Clear-Again Tablets, through the Arthur Meyerhof agency; Household Magazine, 30 minutes daily for 12 days, through Presba, Fellers & Presba; Edwards Tablets, 15 minutes daily, through United agency; Kemp & Lane, seven announcements weekly, through F. A. Hughes agency; Sandra Motor Co., 15 minutes weekly.

WGN: American Chicle Co., 15 minutes three times weekly, through Badger, Browning & Hershey; Blue Moon Foods, one-minute participation three times weekly; Fels & Co., 15 minutes three times weekly, through S. E. Roberts agency.

WBBM: Andes Candies, daily time signal announcements, through McJunkin agency; Mrs. Stevens Candies, time signal announcements, through Rogers & Smith; Dutch Mill Candy Shops, 15 minutes on Sundays, through Goodkind, Joice & Morgan.

United Drug Buys More

St. Louis, Feb. 18.

KMOX via Benson & Dall agency, Chicago, has United Drug Trade for an additional half hour. Sponsor is already bankrolling 'The Carter Family' and 'Mainer's Mountaineers' on transcriptions.

DEMAND STAR PRICE GUARANTEE

Campbell Playhouse Must Be Protected Against Film Names Following Their Bargain Rates to Other Programs

BLURB CLAUSES

Ward Wheelock has acquired for itself quite a reputation for appending riders to a radio contract. The agency's practice applies to both talent and spot time contracts.

Film names appearing the 'Campbell Playhouse' (CBS) are required to agree they will not accept another commercial date within four months for less money than Campbell Soup has paid them. The same clause provides that if they do accept less Campbell will be refunded an amount equal to the difference between the money received from Campbell and the salary paid them by the subsequent account.

Wheelock's reason for this rider is that it has found that film luminaries, after having been brought to New York at Campbell's expense and their full radio salary, had no compunction in appearing on another commercial a week or so later at half the Campbell salary. In some cases the rider has been revised to the extent that the expenses entailed in the New York trip are not to be considered in matching one salary with another.

But where, according to station reps, the Wheelock agency has given the trade something really special along the line of riders is in the conditions which Wheelock attaches to contracts for chainbreaks bought in behalf of Palmolive. Following are a couple of the riders which have resulted in the rejection by some stations of the Palmolive contracts:

1. *It is understood that we (Wheelock) have the privilege of taking an eight to 13-week hiatus during the summer upon four weeks notice prior to the time the hiatus is to begin, retaining the same spots scheduled at time of taking the hiatus.*

2. *We (Wheelock) are to have the option of any other spots that become available and the privilege of changing any of our present spots if we so desire.*

'BOSCO BAND STAND' ON WBZ IN BOSTON

Boston, Feb. 18.

'Bosco Band Stand' made its debut over WBZ-WBZA yesterday, using popular recordings and patter by Malcolm McCormick as 'bandmaster' to be heard daily at 8 a.m. for 15 minutes, sponsored by the Bosco Co.

Kenyon & Eckhardt, of New York City, is the agency.

Dept. Store Opposition Ebbs In Frisco; NBC Toasts Merchants

San Francisco, Feb. 18.

Breakdown of local department store antipathy towards radio is being accomplished gradually, with NBC outlets KGO and KPO still doing their utmost to win the goodwill of the merchants. Latest move this direction was the airing of three half-hour broadcasts, the first live talent and the others delayed transcriptions of the same show, in connection with a testimonial dinner last Wednesday (12) honoring employees, executives and companies which have given 35 years or more of service to San Francisco business. At the dinner in the Palace Hotel's Palm Court, 850 men and women witnessed a KGO broadcast which reviewed in narrative and drama 100 years of San Francisco history, paying tribute to the city's merchants, printers, shipbuilders, etc. The platters were aired on KGO the following night and on KPO Friday.

As a further gesture, Manager Al Nelson of KGO and KPO presented copies of the record to a number of leading business men.

Any move to arouse and stimulate department store interest in radio is eagerly watched by all local stations, although KFRC has garnered most of the plums to date with Hastings (men's furnishings) sponsoring a total of three hours' air time weekly, O'Connor Moffatt & Co. (department store) bankrolling daily morning newscasts, and Roos Bros. store paying for the weekly half-hour 'Whodunit?' show, Pauson's Men's store has signed for three weekly Musical Clock participations on KPO and Hale Bros. (department store) has bought spots on KPO and other stations. Leaders among the hold-outs are The Emporium, the White House and the City of Paris, but now that the ice has been broken the stations are all hoping they'll come through with an account or two before long.

WCAE's Recent Contracts

Pittsburgh, Feb. 18.

New biz reported at WCAE:

Planters Nut Co., 10 daytime announcements per week from Mon. to Fri., until May 2, through Ray Morgan.

Rival Dog Food, five station breaks weekly to Aug. 1, through Charles N. Silver Co.

Vick Chemical Co., three annets. weekly to April 11, through Morse Int'l.

Max Azen Furs, Fri. station break for 13 weeks, direct.

Gulf Oil Co., 100-word annct. every Sat. for 13 weeks, through Young & Rubicam.

UNION LEADER BUYS 2 SPOTS

Union Leader (Lorillard) has bought early morning spots on WHAM, Rochester, and KMA, Shenandoah, Ia., which brings the regional hookups, Michigan Network and the North Central Network out of WLOL, Minneapolis. At KMA it's news and in Rochester, a hillbilly show.

Friends Tobacco, another Lorillard product, last week signed up with KYW, Philadelphia, for the season's baseball scores daily, starting April 5.

HUDNUT, MINITRUB PLACE PACIFIC BIZ

CBS and NBC-Red Pacific links each last week obtained a contract from New York agencies. In the case of Columbia it was Hudnut, weekly half-hour, while the red's Coast link sold three quarter-hour news periods to Minitrub (Young & Rubicam). Benton & Bowles is the agency on Hudnut.

Cosmetic deal is for 'Hollywood Showcase,' a KNX, L.A., sustainer, with Lud Gluskin as batonist and Ken Niles, the m.c. Series starts April 1, and involves 14 stations. Mann Holiner will supervise the production for the agency.

Benton & Bowles' original idea had been to buy local shows in various markets but it found that the quality of material it sought was practically unavailable. If the 'Showcase' clicks it will be given a crosscountry hookup.

KWK, St. Louis, has inaugurated a 'Furniture Grab Bag' program, six times weekly, for the Franklin Furniture Co., St. Louis, patterned somewhat after the 'Pot O Gold' stunt. Talent is recorded dance music.

ASCAP IN BALTO VIA OPENING OF WITH

Baltimore, Feb. 18.

Plenty of demand continuing, here for newscasts and stimulated selling of extended local shows also reported by all stations. Outlook considered bullish for near future.

New WITH, Tom Tinsley's 250 watt station, set to bow in March, has been lining up sponsors for newscasts every hour on the hour. Will also be only local station operating all night as well as carrying ASCAP license with several niteries already reported sold for remotes. Modest rate card aimed at local biz hoped to attract new users to radio.

WBAL: Chesapeake & Potomac Telephone Co., six 75-word spots; Marlin Firearms Co. (razor blades), through Craven & Hedrick, 65 one-minute announcements; Loyola Federal Savings & Loan, through Maurice Azrael, 159 spots; Free State Brewery, through Harry J. Patz, 312 spots.

WCAO: Packard Motors, through Young & Rubicam; 15 one-minute announcements; Simon & Schuster (publishers), selling manual on income tax via Northwest Radio Adv., in daily five-minute announcements.

HAMM SPONSORS BOUTS

Minneapolis, Feb. 18.

Hamm Brewing Co. is sponsoring a blow-by-blow broadcast account of the current Golden Gloves boxing tournament from the Minneapolis Auditorium currently over WCCO.

Rollie Johnson and Eddie Gallaher, WCCO sports announcers, are at the mike.

WXYZ, Det., Unrolls Gold Carpet of Showmanship to Mark Power Boost

Detroit, Feb. 18.

Just about every form of known advertising will be used by Station WXYZ here in exploiting its expansion to 5,000-watts night power on Feb. 21. Taking the rubber off the bankroll, George W. Trendle is directing a campaign with the idea of reaching the listeners, the sponsor, the advertising agency, the distributor, the retailer and the wholesaler.

WXYZ also has tossed a dilly into the lap of the studio writing staff since one of the highlights of the exploitation campaign is a half-hour dedicatory program for the opening night. The writers are up to their necks since they have to prepare a composite of three of the station's dramatic shows, 'The Lone Ranger,' 'The Green Hornet' and 'Ned Jordan, Secret Agent,' which means tossing together action of 1860 and 1941.

The station is buying space in trade journals, daily newspapers throughout the Detroit area and weeklies throughout Lower Michigan, Ohio and Indiana as well as the weekly nabe journals of Detroit.

To insure listener attention, special counter cards have been placed in 5,500 retail stores. More than 1,600 display cards go up inside and outside Detroit, using suburban streetcars and buses. A total of 80 motion picture theatres in Detroit and surrounding cities will carry special trailers for a 10-day period and, at the same time, there's a direct mail campaign to the time buyers and sponsors.

On the dedicatory program a bid will be made for listener response with the presentation of cash awards totaling $300 and the distribution of 10,000 special 'Lone Ranger' good luck emblems. The cash prizes, to be paid off in silver minted between 1860 and 1880 when the Lone Ranger is supposed to have ranged the prairies, goes with a top prize of $100 for the best letter describing the program. The good luck emblems go to anybody who asks for one.

The station has been operating on 5,000 watts daytimes for a year.

Jergens Buys 'Just Music' (Symphony) Discs Series on WQXR, New York

Andrew Jergens Co. has bought the seven-nights-a-week 60-minute 'Just Music' series over WQXR, New York, starting March 1. Sponsor will plug number of its products on the program, among them being Jergens lotion, face cream and powder and Woodbury's facial soap, cream and powder. Lenuen & Mitchell is the agency.

'Just Music' is a recorded series containing announcements only at the half-hour mark and the close. It consists of symphonic and semi-classic compositions.

WHN: Axton-Fisher Tobacco Co. (Himyar Shredded Tobacco), through Weiss & Geller, Inc., 'Today's Baseball,' quarter-hour program 7 nights weekly, 26-week contract; Wise Shoe Co., Inc., through Lester Harrison Associates, participation in 'Cinderella Hour'; Parker Brothers (Dig), through Clements Co., Inc., station-break announcements; K. Arakelian, Inc. (Mission Bell Wines), through Firestone Advertising Service, Inc., daily spot announcements, 52-week contracts; Packard Motor Car Co., through Young & Rubicam, spot announcements; Roxy theatre and 20th Century-Fox Film Corp., through Kayon-Spiero Co., announcements; B. Manischewitz Co. (soup), through A. B. Landau, Inc., station-break announcements, 52-week contract; Barney's Clothes, through Emil Mogul Co., participating announcements; Stadler's Shoes, Inc., through Byrde, Richard and Pound, spot announcements; Webster-Eisenlohr, Inc., through Roberts and Reimers, spot announcements, 13-week contract.

WMCA: Music Box-Lyceum theatres, through Kayton-Spiero, spot announcements; Conti Products Corp., through Bermingham, Castleman & Pierce, 52 announcements weekly, 52-week contract; Packard Motor Co., through Young & Rubicam, 15 one-minute announcements; Community Opticians, through Commonwealth Advertising Agency, renewal, seven quarter-hour programs weekly, 13 weeks.

WOR: O-Cedar Corp., through H. W. Kastor, participation in 'Ed Fitzgerald,' Monday through Friday, to May 16; Packard Motor Car Co., through Young & Rubicam, one-minute announcements, nine weekly for two weeks; John Morrell & Co. (Red Heart Dog Food), through Henri, Hurst & McDonald, 13 chain-break announcements; Macfadden Publications (True Story), through Ruthrauff & Ryan, six station-break announcements weekly for two weeks; Beaumont Co., Inc. (Four-Way Cold Tablets), renewals, participation in 'Here's Morgan' for two weeks; Longines Wittenauer Co., through Arthur Rosenberg Co., renewal, evening time signals, six daily, seven times weekly; S. A. Schonbrunn & Co. (Savarin Coffee), through M. H. Hackett, renewal, four station-break announcements; Illinois Meat Co., through Arthur Meyerhoff Co., 'Play Broadcast,' half-hour program, one-week extension; Wheatena Corp., through Compton Advertising, three quarter-hours weekly, six-week extension; Parker Bros., through Clements Agency, renewal, participation in 'Ed Fitzgerald' and 'Here's Morgan.'

WQXR: Andrews Jergens Co., through Lennen & Mitchell, Inc., 'Just Music,' one-hour program, seven times weekly; Joseph Martinson & Co. (Martinson's Coffee), through Al Paul Lefton Co., Inc., 13 station breaks weekly, 52-week contract, fifth consecutive year on WQXR.

OPPOSITE TO CURE?

United Diathermy Cited by FTC for Misrepresentation

Washington, Feb. 18.

Misrepresentation in radio, newspaper and other advertising has been charged against United Diathermy, Inc., of New York, distributors of an electrical device which allegedly cures rheumatism, arthritis and other diseases of the bones and joints.

Severe burns instead of relief may be sustained by individuals who believe in ads saying that 'United Short Wave Diathermy' is a cure for the rheumatiz, the Federal Trade Commission warned. Apparatuses may be safely used only after competent medical authority has been obtained, plus instruction in the use of the device by a 'trained operator.' Under ordinary conditions severe electric burns or other serious injury may result from the 'unskilled self-application' of the cure-all.

Complaint alleges that the respondent's apparatus 'is not competent for treating acute arthritis, neuritis, and bursitis, as distinguished from chronic cases of such disorders.'

Omar Flour of Omaha Cuts Quarter Hours With Larsen and Baker

Chicago, Feb. 18.

Omar flour mills of Omaha, Neb., readying a radio disc campaign for its Wander Flour product. At NBC here they are waxing a series of 15-minute platters, with the programs to be titled 'Musical Meditations' and containing Larry Larsen at the organ with Gene Baker singing hymns.

Set through the Hays-McFarland agency here, with the series of 13 platters to be spotted through the midwest.

Virginia Safford, whose 'Column of the Air,' is broadcast over WCCO at 8:30 a.m. Saturdays for Nash Coffee, has gone on a trip to Guatemala and won't return until March.

Renner Brewing Co. is presenting a 15-minute Monday through Friday program, 'On Wings of Songs,' over WFMJ, Youngstown, O.

DES MOINES PLACEMENTS

One-Minute Announcements Booked From Many Advertisers

Des Moines, Feb. 18.

Latest compilations of recent time contracts passed out in this Iowa metropolis follow:

KRNT

North American Accident Inc. Co., through Franklin Bruck agency, 5 minute programs.

National Refining Co., one minute announcements through Sherman K. Ellis, New York.

Manhattan Soap Co., news programs through Franklin Bruck agency.

Dr. Pierce, one minute announcements through H. W. Kastor & Sons.

Haskins Bros. (Spark) 15 minute programs through Sidney Garfinkel.

Lever Bros. (Rinso) one minute announcements through Ruthrauff & Ryan.

Pillsbury Flour Mills, one minute announcements through Hutchinson adv. agency.

Sears, Roebuck, daily news programs—direct.

KSO

Paxton & Gallagher, Omaha, through Buchanan-Thomas Adv. Co., Omaha, 162 periods (15 minutes) of 'The Other Woman.'

American Chicle Co. (Yucatan gum) through Badger & Browning, Boston, Mass., for 539 announcements, 1 minute each; 13-15 minute periods and 42-10 minute periods.

Skelly Oil Co. through Henri-Hurst & McDonald, Chicago for 13 periods of 30 minutes each on Iowa Barn Dance Frolic.

John Morrell Co., through Henri, Hurst & McDonald, Chicago, for 13 announcements of 100 words each.

WHO

American Technical Schools, one minute announcements—direct.

Fulton Packing Co., announcements on Helen Watts Schreiber program—direct.

Haskins Bros. (Blue Barrel soap) announcements on Helen Watts Schreiber program, through Sidney Garfinkel agency.

Green Gables Builders, one-half hour programs through W. D. Lyons agency, Cedar Rapids, Iowa.

Standard Oil (Ind.) one minute announcements through McCann-Erickson.

National Refining Co., one minute announcements through Sherman K. Ellis, New York.

WJBK'S GROSS $188,879 FOR SEVEN-MONTH SPAN

Detroit, Feb. 18.

With more than half the fiscal year rolled by, latest financial reports issued by WJBK, Detroit, show a marked business increase. For the first seven months of its fiscal year, which started June 1, 1940, WJBK shows gross sales to a total of $188,879. According to Art Croghan, sales manager, it represents an increase of 69% over the comparable period of the previous year.

Station, on a 24-hour basis, has strong sponsorship among its 11 foreign language broadcasts.

Halsey Hall is sportscasting for the Twin City De Soto dealers over KSTP, St. Paul.

Advertising a Foe of Dictatorship

Burton Challenges Thurman Arnold's 'Monopoly' Thesis—Cleverness

Albany, Feb. 18.

Businessmen are busy conducting their own enterprises and 'haven't the time to run newspapers, radi and magazines,' even if they so desired, which they emphatically do not. Thus declared Elon G. Burton, president of the Advertising Federation of America, in an address at the Albany Advertising Club. Saying Americans 'want no dictator control of opinions and expressions,' Burton insisted that advertising, which pays the largest share of publishing costs, is a very important factor in preserving editorial opinion. The AFA head stated big business men 'know how foolish it would be to try' to run radio and the press. You can't muzzle and fool the American public very long.'

Burton challenged Assistant Attorney General Thurman Arnold's claims that large advertisers obtain monopoly control of their fields. He characterized such contentions as 'nonsense.' Said Burton, 'Anyone who knows advertising and merchandising at all well, knows by the very nature of advertising, the amount of money spent does not necessarily determine results. Time after time, some small campaign, cleverly, effectively planned and executed, steals the show from the big campaigns.'

Advertising, which lowers the price of goods to the consumer by making mass production possible is so sapolio that FTC, after examining 683,000 radio advertisements, 300,700 newspaper insertions and 15,208 mail order catalog pages last year, found only 730, or seven-one-hundreths of one per cent, worthy of investigation. Of these, continued Burton, only 220, or two-one-hundredths, called for action by the Trade Commission.

KFAR, ALASKA, BIZ

Had 38 American Advertisers on Air In First Year

Fairbanks, Alaska, Feb. 4.

National or regional advertiser attention to this outpost of the U.S.A. (Alaskan broadcasters call this a $5,000,000 market) is illustrated by a list of accounts on KFAR here during its first year of operation, recently completed. KAR had 38 accounts from the States.

These firms advertised to Alaska: Standard Oil Company of California, Frigidaire, Westinghouse, Remington Arms Co., Winchester Repeating Arms Co., Western Cartridge Co., Studebaker, Coca Cola, Florsheim Shoe Co., Woolrich Woolen Mills, Black Mfg. Co., National Lead Co., W. F. Fuller & Co., National Grocery Co., Best Foods, Inc., West Coast Grocery Co., Schwabacher Grocery Co., L. B. Garrett Co., Washington Creamery Co., Canned Salmon Industry, Wash. Co-Op Egg & Poultry Assn., Pacific Greyhound Lines, North Coast Bus Lines, Union Pacific Stages, Washington Motor Coach, Trick & Murray, Pacific National Bank, Alaska Steamship Co., Seattle Fur Exchange, New Washington Hotel, West Coast Fur Sales, Washington Quilt Mfg. Co., National Carbon Co., Wincharger Corp., Pan American Airways, Caterpillar Tractors, Utah and Idaho Sugar Co., Pacific American Fisheries.

Heavy Blurb Skeds In Denver; KLZ's Two Remedy Accts.

Denver, Feb. 18.

Sales ran to announcements with the exception of 26 half-hours to the Adolph Coors Brewing Co. by KLZ.

KLZ: Lydia E. Pinkham, through Erwin, Wasey, 130 announcements; Dr. W. B. Caldwell, through Sherman & Marquette, seven announcements weekly, one year; Knight-Campbell Music Co., 28 announcements; Adolph Coors Co., through W. W. MacGruder agency; Site Service Stations, 78 announcements.

KOA: Dwarfies Corp., through Buchanan-Thomas, 20 announcements; Sheaffer Pen Co., through Russel M. Seeds, 48 announcements.

KFEL: Crown Furniture Co., through Max Goldberg agency, four announcements a week, six months; announcement servlce to Alamo Dairy, Gene's Service Station, Telephone Secretarial Service, George's Coney Island, Lavender & Lace Dress Shop, Denver Key & Lock Co., Harry's Drug Store, Barney's Servlce Station, Cahn-Forster Electric Co., Paul Fitzgerald, Harvey Pharmacy, Mack's Auto Repair Service, Lawson Drug Co., Kay's Permanent Wave Shop, John M. Hurley, Thomas R. Walker, J. E. Terry, Western Spring Service, Recreation Co.,

NAT'L DEFENSE DOUGH SPURS DETROIT UNITS

Detroit, Feb. 18.

More than hinting at the fact that radio buying is following in the wake of the heavy Government defense orders, Detroit, after several weeks of slow but steady mounting, took a healthy leap upward this week, providing further evidence of studio predictions of a boom year. Gains were chalked up in all categories, national spot-hanging up better than a 10 per cent improvement.

KYW, Philadelphia, recently upped to 50,000 watts, is being advertised in the new territory now covered by the outlet by signs on 500 Public Service busses which run between here and 195 South Jersey communities.

Palmer Excelsweld Co., Sun Life Insurance Co., William's Grill, Welker Service Station and Therapeutic Bath Institute.

COMPARATIVE RADIO BUSINESS UNIT INDEX

(BASED ON VARIETY RADIO MARKETS)

	Network Units.	Local Units.	National Spot Units.	Total Units.
Change over last week.....	— 0.1%	+ 3.4%	+ 2.2%	+ 1.4%
Exchange over same week 1940.....	+15.5%	+10.8%	+ 2.2%	+11.5%

CURRENT CITY-BY-CITY BUSINESS ACTIVITY

(FEBRUARY 15 COMPARED TO FEBRUARY 8)

BALTIMORE

Network Units	Local Units	National Spot Units	Total Units
9,130	4,665	1,517	15,252
9,035	4,350	1,574	14,959
+1.1%	+5.9%	—3.6%	+2%

(Included: WBAL, WCAO, WCBM, WFBR)

DENVER

Network Units	Local Units	National Spot Units	Total Units
8,175	4,452	1,690	14,317
8,160	4,249	1,658	14,067
+0.2%	+4.8%	+1.9%	+1.8%

Included: KFEL, KLZ, KOA, KVOD)

DETROIT

Network Units	Local Units	National Spot Units	Total Units
9,596	12,293	4,895	26,784
9,476	11,911	4,421	25,908
+1.3%	+3.2%	+10.7%	+3.4%

(Included: CKLW, WJBK, WJB, WMBC, WWJ, WXYZ)

SALT LAKE CITY

Network Units	Local Units	National Spot Units	Total Units
7,796	2,317	626	10,739
8,086	2,219	634	10,939
—3.6%	+4.4%	—1.3%	—1.8%

(Included: KOYL, KSL, KUTA)

SAN FRANCISCO

Network Units	Local Units	National Spot Units	Total Units
10,896	3,620	1,936	16,452
10,806	3,588	1,945	16,339
+0.8%	+0.9%	—0.5%	+0.7%

(Included KFRC, KGO, KJBS, KPO, KSFO)

CHICAGO

Network Units	Local Units	National Spot Units	Total Units
9,915	7,166	11,444	28,525
9,845	6,255	11,309	27,409
+0.7%	+14.6%	+1.2%	+4.1%

(Included: WBBM, WENR, WGN, WIND, WJJD, WLS, WMAQ)

DES MOINES

Network Units	Local Units	National Spot Units	Total Units
7,821	2,763	2,926	13,510
8,038	2,684	2,976	13,698
—2.7%	+2.9%	—1.7%	—1.4%

(Included: KRNT, KSO, WHO)

LOS ANGELES

Network Units	Local Units	National Spot Units	Total Units
13,208	9,018	1,481	23,707
13,181	8,775	1,416	23,372
+0.2%	+2.8%	+4.6%	+1.4%

(Included: KECA, KFI, KFWB, KHJ, KNX)

SAN ANTONIO

Network Units	Local Units	National Spot Units	Total Units
6,220	8,251	1,419	15,890
6,251	8,437	1,391	16,079
—0.5%	—2.2%	+2%	—1.2%

(Included: KABC, KMAC, KONO, KTSA, WOAI)

SEATTLE

Network Units	Local Units	National Spot Units	Total Units
6,357	10,774	691	17,822
6,355	10,667	692	17,714
*..	+1%	—0.1%	+0.6%

* No change.

(Included: KIRO, KOL, KRSC)

QUICK AIR PEACE UNLIKELY

'The ASCAP Cliveden Set'

Stormy session is anticipated when the general ASCAP membership is called together during the coming week or so to ratify the consent decree which has been worked out with the U. S. Department of Justice. Flow of reincrimination is expected to go on for hours before actual vote is taken, with the main target being the ASCAP board of directors as now constituted.

Inkling of what is to come has already made itself evident via an eight-page letter sent yesterday (Tuesday) to the ASCAP board by Benee Russell, an ASCAP writer. In his letter Russell excoriates the board for what he terms its manhandling of the new radio contract and not taking into consideration the opinions or wishes of the rank and file of ASCAP members. Russell's letter also calls on 'certain' members of the board to resign forthwith and closes with the shibboleth, 'The ASCAP Cliveden Set Must Go!'

ASCAP Yields to Reforms

Continued from page 1

operation will likely be handled before Judge Henry W. Goddard in the N. Y. federal court. ASCAP itself will have to go through the process of calling a general meeting of the membership for the purpose of ratifying the decree and of electing a new board of directors, which move will throw into discard the mechanism of a self-perpetuating board. This general meeting has been set for tomorrow evening (Thursday) at the Astor hotel, N. Y. ASCAP will also be required to make changes in its bylaws affecting the authority of the new board, methods of classification and royalty distribution and other organizational functions made mandatory by the decree.

Reason that the board didn't approve the decree at yesterday's (Tuesday) meeting was that several directors who were out of town had asked that action be deferred until they could have a representative on hand. These were Louis Bernstein, head of Shapiro, Bernstein & Co.; Jack Robbins, head of the Metro-Robbins group; and George Fischer, of J. Fischer Bros. Bernstein is in Florida and Robbins is in Cuba. Fact that the board yesterday ordered that the membership be brought together at 7:30 p.m. on Thursday (20) indicated assurance that the pact would go through at today's session.

The board spent all day Monday (17) studying and discussing the

Choice of Method

U. S. Department of Justice has two methods for establishing the consent decree with ASCAP as a court order. It can either start an entirely new suit incorporating alleged acts related to the terms of the decree in the complaint, or it can amend the complaint which it filed with the N. Y. federal court against ASCAP in 1934.

Trial on the latter complaint occurred before Judge Henry W. Goddard in the summer of 1935 and after several weeks of it Government counsel asked for an indefinite adjournment. The indications are that the procedure will be the filing of an entirely new suit in the local district court, with Judge Goddard sitting on the matter.

terms and possible affects of Clause No. 1, the crux of the decree as far as ASCAP was concerned. Under the original provision of this clause ASCAP would have been barred from continuing to operate as both a collector and allocator of royalties collected for its members. It would have had to stipulate in advance the compensation to each member and could not, as it does now, leave it to the writer and publisher classification committees to determine what each member's share of the receipts should be. The compromise made with the Government as to Clause No. 1 was as follows:

1. ASCAP may no longer acquire or assert any exclusive performing right in any musical composition.

2. This right now becomes an non-exclusive one.

3. ASCAP shares the right to license a work catalog with its copyright owner, or owners. The publisher, or writer, may do the licensing direct, or ASCAP may go on doing the licensing, but in any event ASCAP does the collecting and distributing of the royalties involved as it sees fit.

4. Under no circumstances may an ASCAP member license a work or catalog to Broadcast Music, Inc. As a result of this taboo ASCAP stands protected against the weaning away of its membership and the prohibition in effect serves as a binding force upon the 10-year contracts which ASCAP now has with its members.

All counsel associated with ASCAP were unanimous in their affirmation at Monday's meeting that Class No. 1 as it now stands makes it possible for ASCAP to continue to operate as a solidified unit, and that it can go on administering its members' performing rights affairs as effectively as it has in the past. The ogre which until the past weekend had loomed up before ASCAP, and which its spokesmen held was tantamount to the disintegration of the Society, concerned the provision in the orginal decree which deprived ASCAP of its discretionary powers over royalty distribution. While a faction on the present ASCAP board viewed the non-exclusive feature with much misgivings, it was generally agreed that Poletti had performed an excellent job in getting the revisions he did. He had, at least, induced the Justice Dept. to remove the 'polson' which could have killed the Society.

This non-exclusive setup is not new to ASCAP. It was the system which prevailed between 1914 and 1921, but in due time publisher members became involved in so much chiseling that it was decided to relieve them of the right to license directly and to invest the exclusive rights with ASCAP. Even though ASCAP's directorate, which is composed of 12 writers and 12 publishers, retains the power of distribution, the change in the board of directors by election from the ranks is expected to have severe repercussions on the ASCAP income of current top-rating members, particularly the writer faction. It is anticipated that under the new regime there will prevail a more enlightened and considerate attitude toward the smaller publishers and writers that have been coming up during the past few years and that when a low-rating member appears in quest of a raise before a committee he will not be made to feel that he is faced with men whose lone concern is to protect their own and to maintain the status quo.

BMI may, after the ASCAP decree has been filed, ask the Milwaukee federal court to amend its own (BMI's decree) so that the terms will conform with those in the ASCAP decree. This move is provided for in Clause Five of the BMI decree. BMI is not required to put the terms of the decree into operation 'until 90 days after copy of the consent or final decree binding upon ASCAP shall be served on BMI, provided that if BMI thinks the requirements binding on ASCAP are not substantially identical with the BMI decree, BMI has 20 days within which to apply to the Court for the determination of that question.' Also that the BMI decree doesn't become operative 'until the Court's determination that the two decrees are identical.'

ASCAP MUST WAIT BMI ADJUSTMENT

Music Men Realize Broadcasters Face Involved Problems—Especially the Question of How Performance Fees Are to Be Split Up—Many Broadcasters Disinclined to Do Business on Any Basis

ASCAP 'RESPECTABLE'

Even though the American Society of Composers, Authors and Publishers settles its tangle with the U. S. Department of Justice by March it may be another month or two before ASCAP music is again heard on the networks. The broadcasters themselves have quite a few problems to solve before their spokesmen can even sit down to work out a contract with ASCAP, and these complications may increase as time goes on to the point where the radio industry becomes enmeshed in a serious financial and factional muddle.

With the industry deeply involved in Broadcast Music, Inc., and to an amount estimated between $3,500,000 and $4,000,000, the vast majority of broadcasters, from present indications, are still in a militant mood and would prefer to go on indefinitely without ASCAP music. But against this inclination the industry might find it expedient to match the question of public opinion. The National Association of Broadcasters has in statements to the press declared that the industry it represents is barred from treating with the Society because the U. S. government had termed ASCAP to be operating in violation of the law.

Through the mechanics of the consent decree ASCAP has bathed itself of illegality. In the eyes of the law it is now a 'respectable' business organization. The Government has let down the barrier and the question that broadcasters may have to mull over is how another Government reservation, the Federal Communications Commission, might react to the situation in light of the public interest, convenience and necessity dictates of the radio law.

Headaches

Where, it is anticipated, radio's big headache will loom from is the provision in the consent decrees of both ASCAP and BMI which makes it mandatory for a copyright owner or his delegated licensor to collect the music fee at the source. Before the networks can sit down with ASCAP they must first meet with their respective affiliates and decide what share of this fee on network programs will be absorbed by the affiliate. Some broadcasters are of the opinion that this angle will prove a hard nut to crack unless the networks assent to a formula which would make the affiliate obligated only for a share which is in proportion to the percentage of the compensation it received from the network on hookup time sales. In the case of NBC this share of the network rate ranges between 20% and 37½%.

The networks are already faced with a similar problem in the instance of the new BMI contracts, effective April 1. Under this contract the networks have agreed to pay BMI a flat fee of 1½% on its net income from hookup facilities.

NBC admits that there has been some pressure from agencies and clients to clear up the music situation, but it adds that this pressure has not been too severe. Even if the netwoks were inclined to settle the controversy as conveniently as possible, they must consider the strongly voiced sentiment of their affiliates that they (the affiliates) have found it practical to get along without ASCAP music and that if the networks find they must have it the solution is entirely theirs.

In some broadcasting quarters it is believed that before the N.A.B. acts on negotiating an agreement with ASCAP it might find it necessary to call a special convention of its membership.

BMI Moves to Cut in Upon ASCAP Payments From Canadian Radio; CBC Is Benevolent to Move

'This Is Too Much'

Member of ASCAP publishing firm, after observing a girl trio making use for weeks of one of the company's rehearsal rooms, suddenly became curious last week and stepped into the soundproof quarters. The girls were working a BMI number.

The ASCAP pub then learned that BMI had been their lone source of material since the first of the year and that all their rehearsing in these quarters had been on BMI songs. The publisher stated that the morale of the employes as the result of the ASCAP-radio war was bad enough without their listening to BMI tunes on the premises and he suggested that the girls ask BMI to furnish them with a rehearsal room.

Montreal, Feb. 18.

A three-man Copyright Appeals Board, headed by Justice A. K. Maclean, is now deciding whether Broadcast Music of Canada, Inc., is to be permitted to edge in on the royalty gravy from Canadian radio stations. For the past 16 years the Canadian Performing Rights Society has held the sole and exclusive right to license the use of music for broadcasting purposes. CPRS, which claims all rights in Canada over music controlled by ASCAP (some 2,000,000 numbers of which about 210,000 are filed with the Canadian Copyright Office) has been getting 8 cents royalty per annum per radio receiving set in Canada. The CPRS is now seeking for increase to 14 cents per set.

At the hearings before the Copyright Appeals Board in Ottawa last week Broadcast Music of Canada, Inc. contended that since they controlled all BMI music in Canada, much in the same way that CPRS represented ASCAP, then Canadian broadcasters should split the royalties between CPRS and Broadcast Music of Canada.

Legal counsel for the Canadian Broadcasting Corp. backed stand of Broadcast Music of Canada, stating that part of the royalties should go to BMI. CBC counsel contended however, that the 8-cent royalty should be decreased rather than increased on grounds that where government stations formerly gave 68% of time to musical shows music is now used only on 42 to 48% of broadcasting time.

Following conclusion of hearings indications were that the Copyright Appeals Board might submit entire question to Parliament with suggestion that new legislation be enacted to establish a clear and more comprehensive copyright law. Ruling expected in two weeks.

NO NEW ASCAP TUNES CRAMPS LICENSEES

Various record playing radio stations throughout the country which have taken out American Society of Composers, Authors and Publishers licenses and failed to align with Broadcast Music Inc., may find themselves forced into buying a BMI license if current situations hold. If ASCAP music publishers continue to hold back songs until the current radio-ASCAP impasse is relieved, thereby forcing record companies into cutting more and more BMI stuff, there will be less and less recorded pop material for the exclusive ASCAP license holders to turntable.

There aren't too many outlets which find themselves in the predicament of having only ASCAP permits. WNEW, New York, which uses many hours a day of recorded programs, is one.

ANTI-POOLING BILL

Missouri Democrat Sees Performance Fees As An Evil

St. Louis, Feb. 18.

Paul E. Turner, Democrat of St. Joseph, last week introduced a bill in the Missouri legislature to do away with the 'monopolistic practice' of copyright music pools by putting the control of public music playing within the structure of the state's rigid anti-trust statutes. Discussing his reasons for introducing the measure Turner said, 'The production and creation of music is necessary for the education and training of our youth. And you can't hear any good music over the radio any more. Besides, music can't be played in a theatre, a ballroom or even a tavern without paying so much a seat, or so much a year and its not right. Everybody's complaining.' Turner blamed the ASCAP-BMI scrap for the situation.

The bill would make it unlawful for two or more persons holding copyrighted works to pool their interests for the purpose of collecting fees or issuing blanket licenses for the right to use the music commercially.

BETTER MIXING IS BMI GOAL

BMI is organizing a Publishers Co-ordination Service for the 111 music publishing houses now in the fold, with object of stimulating greater variety and better balance in radio programming. Idea is to impress publishers with necessity for digging into catalogs for listenable tunes which are not being used and plugging them consistently. It is freely recognized that there has been too much dependance on a few popular BMI tunes and Co-ordination Service is regarded as best remedy for lethargic attitude. New BMI Service intends to promote and encourage a sort of musical 'Treasure Hunt' among performers, band leaders and publishers.

Reported that approximately 1,000 manuscripts a day from aspiring tunesmiths are now pouring into BMI offices. Only about one song in a thousand is found suitable for publication or radio. Survey shows that nine professional musicians originated most of the 50 numbers recently selected from 50,000 manuscripts submitted. Among profes-sionals were included Horace Heidt, band leader, and Edgar Guest. Latter collabed with Maurice Wetzel, Chicago radio program director, on 'At Home, When Lights Are Low.'

Lou Mindling Quits MCA

Lou Mindling bows out as an exec of Music Corp. of America this week to go into publicity work on his own. He was a salesman at MCA, working both the night club and band field.

Before his MCA affiliation Mindling was connected with the Bob Taplinger publicity group.

Kraft Regrets 'Conflicting Reports'

Sentence May Be Indirect Reference to Bing Crosby's Attitude—Cheese Firm Uses Standard Form

Kraft Cheese Co., in the stock letter it is sending out to complainants about the music on its program, takes recognition by inference of the rumors circulated during the past two months regarding Bing Crosby's attitude of disgust and boredom toward the ASCAP-radio imbroglio. The 'many conflicting reports,' states the letter, 'is still further distressing radio listeners.'

Kraft's standby communication on the subject follows:

'Your post card to our New York office, commenting on the music now being heard on the Kraft Music Hall program, has been brought to the writer's attention.

'We appreciate your interest in the Hall, and greatly regret that the discussions between the American Society of Composers and Publishers (ASCAP) and the broadcasting companies (who lease us time on the radio stations) has deprived many of our listeners of some of their favorite songs, at least for the time being. We regret also that many conflicting and often distorted reports of this disagreement are being circulated, still further distressing radio listeners.

'There is little or nothing that Kraft and other radio sponsors can do about this situation until ASCAP and the networks come to an agreement. Meanwhile, we are doing our best to provide enjoyable entertainment for you with the music available, and we are confident that you will bear with us in the spirit of fair play, realizing that we are in much the same position as you.

'We are always glad to have the comments of our listeners, and thank you for taking the trouble to write.'

Sincerely yours,
KRAFT CHEESE COMPANY,
W. G. Shanks,
Assistant Advertising Manager.

'Pantomimic Music' Is Latest Orchestral Stunt; Raymond Scott Uses It

Raymond Scott has developed a stunt he calls 'silent music' for use as a laugh getter on stage shows. It's another word for pantomime.

As the band is driving along on one of Scott's specialties the men suddenly stop pushing out notes, but continue to look and act as if they were; then the unit snaps back onto the track and continues as if nothing happened and the audience thinks it has momentarily lost its hearing. Stunt extends to solo Instrumentalists, who get up under spotlight and go through all the motions, but play nothing.

Scott band goes into the Strand theatre, New York, Friday (21).

SIR THOMAS BEECHAM TO BATON IN MEXICO

Mexico City, Feb. 18.

Sir Thomas Beecham, director of the London Philharmonic Orchestra, has been engaged as guest conductor by the Mexican Symphonic Orchestra. He is due here in the spring.

Beecham is the first Briton to conduct this orchestra. He will be the first foreign guest conductor of the season.

McGee's Band Revamp

Johnny McGee fired his entire band last week, day after the outfit played a date at Massachusetts State College, Amherst. He has since retracted the pink slips with certain of the men he had, who will form the nucleus of a new group and enable the leader to fulfill commitments of the immediate future.

It's understood McGee will pattern his reorganized group along sweet lines exclusively, building it around his trumpeting.

WOULDN'T COOK

W. E. Davison of Milwaukee Sues Night Club Singer for Divorce

Milwaukee, Feb. 18.

William E. Davison, local dance leader, currently at Lakota's, a downtown spot, on Friday (14), Valentine's Day, instituted suit in the local courts for divorce from his wife Vera, a singer now appearing a New York nite club.

The bandsman charges his wife wouldn't cook his meals, but preferred to frequent barrooms and used vile and profane language. He charges she left him Dec. 1, 1938.

Jukeboxes Must Go Higher For Decision on Plea Its Girls Are 'Partners'

Bridgeport, Feb. 18.

Jukebox exchanges' legal try to have femine operators excepted from Connecticut law against women's employment after 10 p.m. came up in superior court last week. Judge John A. Cornell did not rule on question of apparatus' status.

Exchange owners claim that inasmuch as girls partcipate in the take they're partners rather than employees and therefore do not come under law. Decision regarding this is up to another court, Judge Cornell said.

BANDS AS SUNDAY NITE DRAW CLICK AT CENTER

Westchester County Center's Sunday name band and vaude shows in White Plains, N. Y., is continuing to draw healthy biz. Past Sunday (16), with Harry James' and Tommy Tucker's bands, plus Phil Napoleon's orch playing the vaude end, spot grossed around $3,800, which is very profitable.

Count Basie and Bob Chester bands are set for next Sunday (23) in a battle of swing, with J. C. Flippen as m.c., while Charlie Barnet is billed for Sunday, March 2.

Dick Rogers Elopes With Singer Marjorie Black

Dick Rogers, singer who recently took over leadership of the Will Osborne band, eloped and was married at Elkton, Md., Monday (17). His bride was Marjorie Black, former vocalist with Al Kavelin.

Rogers' crew is on location at the Roseland Ballroom, New York.

Savitt Finales for Decca

Jan Savitt band has five more tunes to do on its current Decca contract after which it will shift to Victor. It will record for the latter's 35c Bluebird label.

Five remaining numbers Savitt expects to make in one clip at a recording date scheduled for Feb. 27.

British Best Sellers

(Week Ending Jan. 18, 1941)

Bless 'Em All.....Prowse
Ferryboat Serenade.....Sun
Another Day.....Southern
All Over the Place.....Gay
Swiss Bellringer.....Cavendish
All Things For You.....Chappell
Sierra Sue.....F-D-H
Only Forever.....C-C
Blueberry Hill.....Victoria
Our Love Affair.....F-D-H

ASCAP CUTS UP $1,000,000 IN APRIL

Despite the network income curtailment, ASCAP will have a sizeable first quarter melon to cut up April 1. It will be in excess of $1,000,000, which still figures at the rate of at least $4,000,000 annually, although 1940 saw the record high in Society's intake.

It totaled $7,300,000. Of this, radio contributed $4,000,000. In 1941, there are 175-odd indie radio stations licensed by ASCAP although the three major networks are holdouts.

'ZIEGFELD GIRL' AS TEST OF NON-RADIO PLUG

Among the first non-radio tests on ASCAP film song plugging will be Harry Link's campaign for Metro's 'Ziegfeld Girl' (via Feist) now that the major networks aren't open to ASCAP music publishers.

Metro is collaborating with Feist via special transcriptions, over the indie ASCAP-licensed stations, film trailers, and other live channel ploitation methods.

ORGANIST IS FINED

Toledoan Charged With Causing Hotel Fire While Drunk

Toledo, O., Feb. 18.

Haden Read, former organist of the Esquire theatre, was fined $25 and costs last week (13) by Judge Edgar Norris, who found him guilty of the charge of being drunk and disorderly. Read had been arrested earlier in the week on a charge of setting fire to the Melrose hotel, across from the theatre, which resulted in $10,000 damage and routed more than 40 persons from their rooms, many in night attire, on the morning of Feb. 10.

Read, who occupied a room on the fifth floor of the hotel, in a signed statement, told detectives he went to sleep in his room while smoking a cigaret and awoke to find flames coming from beneath the bed. He admitted drinking half a pint of whisky, but denied he deliberately set fire to his room for spite. Read suffered burns on his arm.

Max Gordon is the new organist at the Esquire, managed by Wallace Caldwell.

Victor Young is assigned to the screen play on 'Caught in the Draft' at Paramount.

Scouts' $79,383.26 in Till So Far

Irving Berlin Deeds Them Copyright on 'God Bless America'

While at first intending to withhold copyright ownership to 'God Bless America,' for his estate, to revert to them, after the initial 28 years, Irving Berlin has decided to turn over the copyright also to the Boy and Girl Scouts of America youth foundation. This is on top of all earnings to the Scouts.

Last accounting, as of Feb. 1, has realized $79,383.26 to the Scouts from the songsheet sales, mechanical, performance and film (synchronization) earnings. Berlin, Inc., pays Berlin, author of the number, 8c per copy, or twice his usual fee, he in turn assigning everything to the Scout movement.

5 Tooters Called

Philadelphia, Feb. 18.

Five Philadelphia tooters have donned the khaki within the past few weeks, three of them bandleaders—Al Small, Clem Williams, and Bob Sill. The others to sign up in army were Hal Bunting, saxophonist in Neil Fontaine's Walton Hotel band, and Teddy Mack, sax man with the Al Fielding orchestra at the Club Bali.

Two months ago, another Philly bandleader, Roger Kortland, disbanded his crew, to take a second lootenant commission with the Army.

ASCAP's Special Counsel

Gene Buck Clarifies Poletti's Connection — Gives Views on Dept. of Justice Negotiations

Charles Shribman Joins Consolidated as 'Mgr.'

Charles Shribman, brother of Cy, Boston band booker, joined Consolidated Radio Artists Monday (17) as 'manager of personnel.' He'll work on selling one-nighters and location dates outside of New York. Addition doesn't disturb Bob Bundy, one-nighter booker for CRA. Bundy at one time worked for the Shribmans when the latter maintained a N. Y. office.

Shribman owns an interest in and partially personal manages, Glenn Miller, Gene Krupa, Woody Herman, Tony Pastor, Mal Hallet, Charlie Spivak and Claude Thornhill. Only Tony Pastor and Hallet are booked by CRA. Rest are split between Rockwell, General Amusement and Music Corp. of America.

Krupa, Scott, Goodman For Michigan's Week-End Of Gala Class Dancing

Detroit, Feb. 18.

Instead of the customary two bands, University of Michigan this year brought in three name orchestras and spread its usual J-Hop festivities over two days. For the regular formal party, the committee brought in Gene Krupa and Raymond Scott combos. For the following night, informal, the school had in Benny Goodman's band.

Idea back of the triple-header, two-party project, was that with the ability to pull out crowds of better than 3,000 for the parties, the committee had plenty of cash with which to work, could afford bands to suit all tastes and that orchestras tend 'to come and go' and it was a good idea to catch as many as possible while they are up there. The formal-informal stunt carried 'no reflection on the bands,' one spokesman put it, but just was to see at which kind of party the collegians had the most fun.

BUFFALO FIRE-FIGHTERS HOOF TO LOCAL BEATS

Buffalo, Feb. 18.

Plugging 'all-Buffalo unity' and 'good neighbor' angle, local firemen dropped name band policy in favor of local musicians at this year's ball Saturday (15).

Harry James played the affair last year. This time smoke-eaters signed local crews batoned by Art Leard and George Feusi. Totaled 40 men.

Bradford Seeks Quiz Of Ralph Peer in Coin Suit

Perry Bradford, as assignee of the Perry Bradford Music Publishing Co., the Acme Music Publishing Co., and the Blues Music Publishing Co., applied to the N. Y. supreme court Monday (17) for permission to examine Ralph S. Peer, president of Southern Music Publishing Co. before trial. Bradford is suing Southern and Gene Buck as president of the American Society of Composers, Authors and Publishers for $6,000,000.

Plaintiff claims that in February, 1934, he was lent $100 by Southern to be repaid within 60 days, and turned over as security some 41 songs to Southern, allowing it to collect royalties on them to pay off the debt. Southern has refused to return the songs, and it, acting in conspiracy with ASCAP, has realized tremendous profits from their sale and distribution, Bradford claims. The defendants generally deny all charges and assert the songs to be worthless.

Sammy Cahn and Saul Chaplin have written seven tunes for 'Show Business' at Columbia. They are 'Did Anyone Ever Tell You,' 'Boogie Woogie Man,' 'Time Out for Music,' 'A'twiddlin My Thumbs,' 'Shows How Wrong a Gal Can Be,' 'Obviously the Gentleman Prefers to Dance' and 'As It You Didn't Know.'

Charles D. Poletti, Lieut.-Governor of the State of New York, and special counsel to the New York law firm of Diamond, Rabin, Botein & Mackay, will receive only a $50,000 fee from ASCAP, and not two separate 50G stipends, totaling $100,000 in all, as was generally believed. Gene Buck, president of ASCAP, is authority for clarification of the Milton Diamond law firm's financial understanding, stating that Poletti's return to the scene is merely an extension of the special consultation incepting last September.

ASCAP has always retained special counsel, states Buck, to supplement Schwartz & Frohlich, their regular attorneys, whether it is to fight the sundry legislative attacks in the 21 states that sought to put ASCAP out of business, or to retain former Judge Thomas D. Thacher to appear before the U. S. Supreme Court on appeals.

ASCAP called in Diamond's firm because Diamond personally has been associated with music matters in the past. In addition, he is on the board of Decca Records, Inc. and also personal attorney for Herman Starr, of the radio negotiating committee of ASCAP. David Mackay, of the Diamond, Raibin, Botein & Mackay office, has been RCA attorney on copyright, etc.

Buck states that when a possible consent decree started to crystallize itself last fall he called in the lawyers, whereupon Poletti devoted four months to its study up until the collapse of a consent in mid-December, when things looked all set to go through. What happened, as frequently does in such parleys with Thurman Arnold, the Government's 'trust-busters, so-called, on Dept. of Justice probes, is that when a decree is agreed upon in principle, it comes out as two other fellers when reduced into legal phraseology. Thus, when Poletti's findings were admitted to the ASCAP officers and the board it didn't quite jell with their oral understanding, as gleaned in D. C.

The decision to 'fight it through' thus came about, when Poletti dropped out of the picture. When Broadcast Music, Inc., took a consent, and the Milwaukee criminal action was filed, the consent thing came to the fore once again, and once more Poletti was called in. But his same $50,000 fee to the Diamond law firm covers the renewed proceedings, and is not a supplementary stipend as some believed.

'Company Union'

Meantime, the same thing that stymied the pre-Jan. 1 expiration of ASCAP radio contracts is muddling matters now, notably that Clause I in the consent which would reduce the Society to a 'policing' organization and, in general ASCAP interpretation, would make ASCAP 'a company union.' Says Buck, 'Add this, of course, is something that the Government has never sanctioned or been in sympathy with, so there's no reason why the Dept. of Justice should want to foist that on us, hence I have every reason to believe and hope for a 'good deal' in our behalf following Mr. Poletti's and Mr. Diamond's conferences in Washington Thursday, Friday and Saturday. They've been meeting with Thurman Arnold.'

3 N. Y. Hotels Set Bands

Three hotel jobs in New York get a change of bandstand scenery about the same time in mid-April. Pennsylvania and New Yorker, two of the more important band jobs, change within a week of one another, Penn bringing in Gene Krupa April 18 to succeed Jimmy Dorsey and the New Yorker taking Bobby Byrne April 11 to follow Woody Herman. In both cases it's the first hotel location job in New York for the bands bought.

Krupa's stay is set at six weeks with an option for four. Byrne's is indefinite, but for about the same period. Dick Jurgens, popular in the midwest, was originally scheduled to follow Dorsey at the Penn.

Waldorf-Astoria replaces the current Leighton Noble on April 12 with Xavier Cugat's Latin tempos. Orrin Tucker, at the Biltmore, gives way to Horace Heidt next week (26).

John Leipold and Maurice Lawrence scoring 'Pirates on Horseback' for Harry Sherman at Paramount.

ASCAP Drastically Cuts Expenses To Meet Shrinking Income; Clips Salaries

The Ways and Means Committee at ASCAP, the body now governing the exchequer (comprising Saul H. Bornstein, John O'Connor, Edgar Leslie, Otto Harbach and Gustave Schirmer), went on an axeing crusade last week. From a better than $7,000,000 gross for 1940, ASCAP figures it had best gauge itself for a decidedly lower take this year. In any event the Society finds that it must drastically adjust itself to such lowered income for the first two quarters of this year. If the consent decree goes through now, as appears very likely, and that bothersome Clause I is circumvented the financial aspect will look much brighter, but at the moment ASCAP is gearing itself for the most pessimistic potentialities.

The budgetitis takes the shape of radical financial pruning. It means dropping of manpower, cutting of some of those $52,000 annual salaries of the topmost executives to 50% thereof—Gene Buck, president of ASCAP, keynoted its necessity by making the first gesture in that direction—and the curtailment of as much overhead as possible.

$7,300,000 Gross in 1940

The $7,300,000 gross last year, towards which radio contributed better than $4,000,000, saw an almost 25% operating expense for salaries, overhead, lawyers fees, etc., of which naturally the latter was an extraordinary amount. The cost of also propagandizing its case has meanwhile also shot the operating tally away up.

Before the ASCAP panicky feeling develops into a morale rout, the responsible top executives, the board and other Society masterminds decided on taking stock of the situation; gripping the crisis by the ledgers, so to speak; and set their financial structure in order to best cope with things, on a business-like basis. Financial figures can be colored or given the whitewash in corporate stock setups, but in an unincorporated, non-profit organization such as ASCAP, whose business is supposedly that only of being a collection agency for its writer-publisher members, there isn't much that can be done to fool themselves or the membership or the world.

Not Kidding Selves

Least of all now does ASCAP want to kid itself into any phoney security. Disillusionment came Jan. 1, 1941. Washington, D. C., was the scene thereof—and still is.

Kayoing the press department, headed by A. P. Waxman, appointed advertising and publicity counsel last summer, is but one evidence of economy. This was done against the judgment of both prez Gene Buck and general manager John G. Paine, but the axemen, as the Ways and Means Committee is now being called, argued they had to start somewhere. Besides, they asked, wasn't Edwin Claude Mills, $50,000-a-year chairman of the executive committee of ASCAP, supposed to be v.p. in charge of public relations and why can't he take it over again? He has.

Saul Bornstein, for a time, carried the ball on this budget axeing, of which ASCAP treasurer G. Schirmer becomes an automatic member, but latterly John O'Connor has been made a spearhead on where and how to cut.

WHITEMAN WINS FEINT

Goes Ahead With Action Against Artie Drelinger

Paul Whiteman won the first leg of his suit against Artie Drelinger, former member of his band and Jack Rosenberg, president of the American Federation of Musicians, Local 802, when Justice Samuel I. Rosenman in the N. Y. supreme court denied defendants application for a dismissal. The court ruled that the suit states a cause of action.

Whiteman employed Drelinger in March, 1938, for three years and broke the contract amicably in July, 1939. After the settlement, Drelinger claimed Whiteman owed him $756, and the AFM ordered the orchestra leader to pay. Whiteman did so under protest and secured permission from the AFM to bring an action against it and Drelinger. He was first forced to deposit the money with the union or suffer suspension.

Pirates Aboard, He Yelps

Los Angeles, Feb. 18.

Harold Geffen, local barrister who put himself on record as saying 'what the law biz needs is more plagiarism suits in the music fight,' found one recently and slapped a $10,000 suit on American Society of Composers, Authors and Publishers, Felix Bernard and Jack Meskill, songwriters, Ray Kinney, orch leader, Decca, Best Music Co., and a bevy of John Does.

He filed the suit for Ted Bentley, who alleges his ditty, 'When the Lurline Leaves Tonight for Honolulu' was pilfered and published as 'When My Dream Boat Sails Tonight for Honolulu.' Action instituted in Superior court under provisions of common law copyright.

Mexican Use Of ASCAP Wax By Arrangement

San Diego, Feb. 18.

Driven from their most lucrative business stand in the radio studios by the music fight, song pluggers are casting eyes south of the border for air exploitation to move their firms' sheets and up the mechanical royalties. Several of the 'professional' men have invaded the Mexican side of the line with apparent good results.

Calling on the 250,000-watt stations at Tijuana and Rosarita Beach, hard by here, they offer the recordings of their numbers for free. Sites naturally grab them and it's considered a good deal all around. Transmitters throw their signal into 18 states in the U. S., so they claim.

A similar idea, from Havana, into the U. S. mainland is being considered.

COAST ASCAP'ERS WILL RAISE COIN FOR GREEKS

Los Angeles, Feb. 18.

The horse teeth are in for a terrific lashing in Shrine auditorium next week (25) when Hollywood's 'and-then-I-wrote' boys keep the bench warm to raise some coin for the Greek war relief fund. Show which brings Gene Buck, ASCAP prexy, from New York for the emceeing chore, will naturally be broadcast only by those stations licensed by ASCAP. Also coming from New York are George M. Cohan and William C. ('St. Louis Blues') Handy. Presenting the musicfest is Motion Picture Permanent Charities Committee, with ASCAP keeping in the background, although furnishing all the talent.

Singing and playing their outstanding hit tunes will be as many royalty collectors of ASCAP's Coast membership of 200 as can be accommodated within the limits of a three-hour show. Certain to draw a fat spot on the bill is Buddy DeSylva, now executive producer at Paramount. He has promised to bring along his ukulele and pluck a medley of his better offerings.

Alfred Newman conducts an orchestra of 75. Show will be similar to that put on last summer at the Frisco fair by the society.

George M. Cohan, Gene Buck and R. H. Burnside leave today (Wednesday) for the Coast to assist on the songwriters' Greek benefit. The first two also will be guested by the Masquers next week (23), Willie Collier, Sr. presiding.

George Van Atter's Claim

Mayville, N. Y., Feb. 18.

George Van Atter of Dewittville, N. Y., can't toot high notes on his trombone since a lip injury suffered in an auto smashup, the musician told a Supreme Court jury last week in hearing on three actions resulting from the accident.

Driver of other car has filed a counterclaim.

The Funny Side

Buffalo, Feb. 18.

ASCAP ban is plenty disconcerting to Al Zink, who as 'Uncle Bill' runs a 'moppets' hour WEBR.

Five-year-old suddenly began to sing nursery rhymes recently and Al had to grab mike away from in front of her. 'Let's just stick to reciting. We might be violating something,' he admonished.

Tax-Free Hummers

San Antonio, Feb. 18.

Believing that anything can happen, the music clearance department of KTSA, with Lew Lacey, in charge, has posted signs throughout the studios and in the KTSA biz office with the legend:

'If you have to whistle or sing in this office, make it BMI or tax free tunes. We operate for a profit.'

Youth Is Still Gay

Akron, Feb. 18.

Chi Theta Tau fraternity threw a 'record-breaking' dance at its chapter house the other night. The Chi Taus said they were fed up with BMI music over the networks, so the stunt of the evening was a smashing of records heard over the chains.

As price of admission the fraternity actives each brought a new ASCAP record.

Serenaded in BMI

Fort Worth, Feb. 18.

Portor Randall, KGKO newscaster, was serenaded outside his office door by a group of 25 children from Mexican Mission which was recently helped by charity publicity from Randall.

Tune sung by serenaders was one of the BMI licensed songs, 'La Paloma,' sung both in English and in the original Spanish.

With a Broad Razoo

Yankton, S. D., Feb. 18.

Robert R. Tincher, general manager of WNAX, took the cause of the broadcasters versus ASCAP to the student body of Yankton College with an address framed as a rebuttal to a recent speech by Irving Caesar, president of the Songwriters Protective Association and ASCAP director.

Title of Tincher's talk was, 'Justice for Genius—Oh Yeah?'

HOROWITZ MAY SELL

If Deal Goes Through He'll Join Mercer & Morris

Edwin H. (Buddy) Morris, head of Mercer & Morris, is dickering with Willie Horowitz for the purchase of the latter's Mayfair Music Co. If a deal is made Horowitz will join M&M's professional staff.

The Mayfair catalog was formerly Joe Davis'.

Music Trade Curiously Follows Rising Popularity of Berlin's Two Non-Radio Hit Maybes

ASCAP Suits in Toledo

Toledo, Feb. 18.

Both WSPD and WTOL have been named defendants in music copyright infringement suits filed last week in federal court. The plaintiff in both cases was Irving Berlin, Inc., who seeks usual judgment of $250 in each case. WSPD is said to have broadcast 'Back to Back' on Jan. 9 and WTOL is said to have broadcast 'I'm Just Beginning to Care' on the same date.

WSPD is also defendant in a suit filed for Crawford Music Corp., for an allegedly unauthorized performance of 'By Myself.'

Philadelphia Is 32-40% Unaware Of Music War

Philadelphia, Feb. 18.

Polls conducted by two local dailies last week suggest that the Philly listening public is still apathetic in the fight between the broadcasters and the American Society of Composers, Authors and Publishers. The Evening Ledger's 'Front Door Ballot Box,' conducted by Dan E. Clark, showed that 32% of Philadelphians are totally unaware of any dispute. The Ledger poll showed, also, that although the majority of listeners think that the barring of ASCAP tunes has lessened their enjoyment of radio, they are nevertheless opposed to ASCAP and would like to see radio win out.

In answer to the question: 'Do you feel the barring of ASCAP tunes has lessened your enjoyment of radio programs?' the answers were: Yes—52%; No—40%, and No opinion—8%.

Women were more regretful than men, since a larger percentage of them felt that radio programs had declined in enjoyment. Of younger people—63%—said they felt radio had lost its appeal. Those over 50 years of age were about evenly divided.

Those who were aware of the dispute were asked who they favored. The answers were: ASCAP—25%; Radio stations—42%; Neither—18%; No opinion—15%.

A telephone survey made by the Record showed that about 40% of the people were ignorant of the squabble. Of those who knew about it, more than 60% felt there was not enough change in musical programs to get excited about.

Irving Berlin, Inc. reported orders for 1,500 copies on 'Little Old Church in England' and 1,200 copies of 'When That Man is Dead and Gone' Monday (17) which has all the earmarks of both becoming big hits without radio unless both suddenly collapse. Both are Berlin-authored tunes, and the significance of this, of course, to the music trade, that this would mark the first non-network radio created hits, because of the ASCAP-broadcasters battle.

If the tunes show up with any degree of importance it will place a new complexion on music matters, so dependent in late years on radio for its exploitation.

There is still no doubt in Tin Pan Alley about the need for that radio plug. The music business as recently geared up can't wait, as it did in former years, for a hit song to take six months in its fullest realization. Not when hits are made overnight by Crosby, Vallee, Kate Smith or Connie Boswell, or any of the bands, and just as fast gotten rid of, meaning a month to six weeks, with rare exceptions.

However, for want of anything better, outside of the 175-odd indie radio stations which have ASCAP licenses, the publishers must depend on so-called 'love' plugs, meaning stage bands, cafe acts, organ slides, vaudfilmers and, as in the case of the two Berlin songs, the lay press buildup, since he got some unusual newspaper space.

FIESTA DANCETERIA FOLDS AFTER 15 MOS.

Fiesta Danceteria, New York combination cafeteria and dancery, folded Sunday night (16) after approximately 15 months of operation. None of the officials of the spot could be reached for comment, but it's not expected the spot will reopen. It was conceived and operated by Robert Decker.

Danceteria was an innovation in dancehalls, catering to what it termed 'subway society,' in contrast to cafe society. It served meals and, at the beginning, name bands to dance to, for one price which at the outset was 65c. then was raised to 75. It opened late in November, 1939. Spot's margin of profit under the method of operation was once estimated at 5c. on every admission.

During the past fall the Fiesta was forced to drop its name band policy because, it explained—no bands were available. Only recently it renewed using known bands, but they were not of the calibre the spot used when it first opened.

Shuberts Try to Trip ASCAP Decree at 11th Hr.

Washington, Feb. 18.

The League of New York Theatres, the legit managers' protective association, which the Messrs. Shubert are naturally vivid, this afternoon requested that the ASCAP consent decree be held up, pending a probe of the claim that it (the League) was vitally interested in settlement of the music issues. The League's attitude is that their interest in stage musical productions makes them vital to the case.

The Shuberts, heretofore affiliated with ASCAP, have been trying to exploit their stage musicals since Jan. 1, 1941, separate and apart from the society.

Stoltz Rights an Issue

London, Jan. 24.

Legal entanglements are likely between Feldman's and Robbins Music Corp. over the rights of Robert Stoltz's music used in Universal's 'Spring Parade.'

Feldman's bought the numbers from Sirious Music Corp., an Austrian company, some five years ago, and claims priority rights.

BMI Sheet Sales Fall Off

Old-Line Publishers Have Simple Explanation But Radio Men Consult Slide-Rule Seers

With the sales of its sheet music for the past two weeks showing a downward trend Broadcast Music, Inc., has started to browse around for a hypo. One drastic move suggested within the organization is the introduction of 10c music, but outside factors have advised BMI to treat this proposal with the greatest caution since any sharp deviation in music sales practice might only aggravate the chaotic state in which the business now finds itself.

The letdown in BMI sheet sales has caused BMI to resort to methods that are curiously foreign to the music business. Being essentially radio men, the BMI masterminds have called in as diagnosticians, psychologists and the slide-rule boys. Their task is to reduce the habits and trends of sheetmusic buying to charts and graphs. This research staff is now gathering data on home pianos and making the rounds of sheetmusic counters quizzing sales clerks and consumers.

Music jobbers have their own explanation of the current condition of BMI's sheet music sales. They point out that the nub of the trouble is that BMI has shot its initial bolt and has failed to come up with its second catalog. Being under pressure, BMI threw everything worthwhile that it had into radio's maw the first few months of BMI's existence. Since these songs have not been able to follow the usual exploitation and sales pattern, it would be natural for such a restricted output to strike a snag in quick time. The sellers have come out of nowhere suddenly, got to the top fast and rapidly dropped out. That isn't the normal pattern of the sheet music business.

Back at the N.Y. Paramount today after a triumphant month's return engagement at the Bermuda Terrace in Boston, and a record breaking tour of one-night stands and theatre dates.

PERSONAL MANAGEMENT *GALE* INC., 48 WEST 48th ST. N. Y.

Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels. Dinner business (7-10 P.M.) not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Weeks Played	Covers Past Week	Total Covers On Date
Orrin Tucker	Biltmore (300; $1-$1.50)	6	650	3,800
Leighton Noble	Waldorf (375; $1-$1.50)	5	1,125	6,125
Lani McIntire*	Lexington (300; 75c-$1.50)	5	1,175	6,000
Guy Lombardo	Roosevelt (500; $1-$1.50)	19	950	24,800
Woody Herman*	New Yorker (400; 75c-$1.50)	8	1,275	14,025
Jimmy Dorsey	Pennsylvania (500; 75c-$1.50)	4	1,775	14,525
Tony Pastor	Lincoln (225; 75c-$1.50)	20	525	8,875

** Asterisks indicate a supporting floor show, although the band is the major draw.*

Dispute Jukebox Use of Music From U Pic; Discers Don't Care

Initial confliction between coin-films and regular theatre films has come up over two of the songs in the Universal release, 'Buck Privates' which features the Andrews Sisters and Bud Abbott and Lou Costello. Leeds Music Co., which publishes the songs from the film, has forbidden the Mills Novelty Co. to release two shorties it made of Mitchell Ayres' band doing two songs from the picture.

Leeds claims that the juke box versions of the tunes, 'You're a Lucky Fellow, Mr. Smith' and 'Boogie Woogie Bugle Boy' were made without its consent and that the tunes circulating in the boxes will tend to harm the picture itself, which is as much musical as it is comedy, and will cut down on the sale of various records of the tunes, some of which have not yet been released.

Recorders Indifferent

Record manufacturers are not interfering in any way with those of their bands which have also been making celluloid records for use in the new soundies for the jukeboxes. Among the bands which have so far recorded for Phonovision, Mills-Roosevelt, etc., are groups which are contracted to either Victor, Columbia or Decca for regular platters.

Disc makers take the stance that it's okay for their talent to turn out material for the soundies so long as the stuff they use doesn't conflict with tunes already made for them. That extends, also, with some of the companies, to future material: arrangements that are wanted for discs.

Soundies people are signing bands to make tunes in sets of four, which has become a standard basis for buying purposes. The prices they're paying range from $800 upward, depending on the name value of various crews approached, but the average payoff seems to be about $1,000. One of the bigger and better known crews is currently asking $3,000 for a quartet of melodies.

Socked on Infringement, Says He Thought ASCAP Was Looking Other Way

Detroit, Feb. 18.

ASCAP may have its ears glued to the radio but the small fry operators in out-of-the-way places aren't grabbing any sneaks. Peter Batsikis, owner of a small cabaret in Traverse City, Mich., was socked $250 by Federal Judge Fred M. Raymond for playing three tunes without permission of the society. He said he thought in view of the major trouble ASCAP wouldn't be bothering with guys like him.

As a matter of history, three tunes were 'When the Swallows Come Back to Capistrano,' 'The Singing Hills' and, oddly enough, 'I'll Never Smile Again.'

Indict Philip Resnikoff For Copyright Infringement

Federal grand jury in the N. Y. federal court Thurs. (13) indicted Philip Resnikoff on charges of copyright infringement. It is claimed that on Feb. 3, 1941, the defendant published, distributed, and sold two songs belonging to other publishers.

The songs were 'Blueberry Hill,' published by Chappell, and 'Pretty Little Peasant,' published by Sha-

London Legit

Continued from page 1

heading the parade, have chalked up their biggest grosses, a factor that has been particularly notable in that the stars, in many cases, had previously refused to play provincial dates in normal times, except on an occasional tryout booking. Tours following the regular London stands were something they usually considered 'beneath them.' Now the road has been a godsend to them in view of the curtailed London engagements.

Week's bow-in of belated legit for West End drew laudatory press from critics who've been idle for many months.

Foyers have been likened to a press conference. As a result of blurbing, John Gielgud's revival for H. M. Tennent of 'Dear Brutus,' at the Globe, should draw plenty of patron attention to its matinee dates.

Strand theatre's Jacobean tragedy by John Ford, despite its incest theme, came in for comment as a praiseworthy revival of drama from contemporary Shakespearean writer. Piece functioned around 16th century, and Donald Wolfit may present more of the Ford tragedies. War is stated to have interefered with his plans in this connection. Comedy theatre's 'The Blue Goose,' laugh piece from Peter Blackmore, was pointed up as likely to continue lack of luck the house has had in its wartime dates.

That afternoon stage can count on support is exemplified by flow of steady business to Wyndham's theatre, where Bronson Albery's re-hash revue, 'Diversion', is now in its second edition. Piece has a widely varied cast, Edith Evans topping.

One of the few to-come announcements is of Firth Shephard's musical, 'Shephard's Pie,' due in West End after six weeks on the road. Tour opens Feb. 17 in Glasgow. 'Pie' was in London prior to the blitz and registered solidly.

Just recovering from 77B Inquisition, Ronald Frankau, monologist and writer, is contracted to go into Prince of Wales theatre next month with a new revue, 'Nineteen Naughty One.' He's now putting final polish on the script. New revue will displace Chaplin's 'The Great Dictator.'

London Sees 1st Stage Musical Since Blitz

'Strike Up the Music,' first stage musical to hit the West End since the Nazi blitz, opened at the Coliseum Saturday afternoon to nice response.

Shows lacks comedy. Gaston Palmer and Wilson, Keppel and Betty are outstanding in the cast.

Good Week for Films

American film companies experienced the best seven-day period in many months last week in Great Britain, according to cabled reports received by home offices yesterday (Tuesday). Majority of U. S. majors reported revenue as running between $110,000 and $160,000 on the week, with estimated total for eight major distribs being $1,120,000.

Consensus of opinion among U. S. film company foreign department officials was that last week's business was as good as it was in the pre-war period. Decline in the number of Nazi bombing raids is credited with part of the pickup.

Band Bookings

Bill Bardo, Feb. 27, Loew's State theatre, New York City, one week.

Tommy Dorsey, March 3, Mechanics Hall, Worcester, Mass.

Gray Gordon, Feb. 21, party, Lord Baltimore, hotel, Baltimore, Md.; 22, party, Baltimore Casualty Club, Baltimore, Md.; 28, March 1, 2, Palace theatre, Fort Wayne, Ind.; 7, one week, Orpheum theatre, Minneapolis, Minn.; 18, six days, Tune Town Ballroom, St. Louis, Mo.

Dean Hudson, Feb. 19, Poinciana Club, Palm Beach, Fla.; 22, party, Palm Beach, Fla.; 28, Piedmont-German Club, High Point, N. C.

Count Basie, Feb. 21, Roseland-State Ballroom, Boston.

Jack Teagarden, Feb. 21, Recreation Ballroom, Lawrence, Mass.; 22, Roseland-State Ballroom, Boston.

Ken Harris, Feb. 22, Oceanview Ballroom, Revere Beach, Mass.

Johnny McGee, Feb. 21-22, Totem Pole Ballroom, Auburndale, Mass.

Al Starita, Feb. 21, Shawsheen Crystal Ballroom, Andover, Mass.

Jimmy Walsh, Feb. 22, Shawsheen Crystal Ballroom, Andover, Mass.

Benny Goodman, May 7, Mass. Institute of Technology Prom, Hotel Statler, Boston.

Tommy Tucker, Feb. 21, Mechanics Hall, Worcester, Mass.

Johnny McGee, Feb. 21-22, Totem Pole Ballroom, Auburndale, Mass.

Glenn Miller, Feb. 21, week, Palace theatre, Cleveland, O.; 28, week, Shubert theatre, Cincinnati; March 7, Keith theatre, Columbus; March 14, Fox theatre, St. Louis.

Southern Gentlemen, Feb. 24-March 9, Westwood Club, Little Rock.

Johnny Long, Feb. 22, Stambaugh Aud., Youngstown, O.; 25, Temple U., Philadelphia; 26, Empire B., Allentown, Pa.; 28, Vernon Hall, New Haven; March 3-5, Plymouth theatre, Worcester, Mass.; 7-9, Metropolitan theatre, Providence, R. I.

Orrin Tucker, March 2, County Center, White Plains, N. Y.

Charlie Barnet, March 26, three weeks, Paramount theatre, N. Y.

Tommy Dorsey, March 29, North Carolina State C., Raleigh; April 14, Geo. F. Pavilion, Johnson City, N. Y.

Erskine Hawkins, Feb. 21, Grant's Park, Charleston, S. C.; 24, Two Spot Club, Jacksonville, Fla.; 25, Bethune Cookman College, Daytona Beach; 26, Sunset Aud., West Palm Beach; 27, Harlem Square Club, Miami; 28, Manhattan Casino, St. Petersburg.

Vaughn Monroe, Feb. 23, Ritz Ballroom, Bridgeport, Conn.

Louis Prima, Feb. 24 one week, Brunswick Hotel, Boston.

Fenton Bros., March 3, two weeks, Brunswick Hotel, Boston.

Count Basie, March 4, Sunset Social Club, Milwaukee; 11, Trainon B., Crowebury, Kansas.

Esquires, Feb. 21, Indef, Blackstone hotel, Chicago.

Earl Hines, April 3, Ambassador B., Philadelphia; April 4-6, Jefferson theatre, Auburn, New York; 12, Waldemeer Park, Erie, Pa.

Claude Hopkins, April 5, U. of North Carolina, Chapel Hill,

Ina Ray Hutton, March 2, Indians Roof B., Indianapolis; 13, Eagle B., Kenoscha, Wis.; 19, Paramount, New York; April 3, Flatbush theatre, Brooklyn, 10, Windsor theatre, Bronx.

Ted Lewis, March 26, Orpheum theatre, Los Angeles.

Jas. Roosevelt Firm (Globe) Purchases Mechanical Rights for Coin-Films; Flat Fee of $100 Per Musical Piece

Standard license covering copyrighted numbers used in film coin-operated machines has been negotiated between Harry Fox, agent and trustee for mechanical rights (M. P. P. A.), and Globe Productions, the James Roosevelt setup which is affiliated with Mills Manufacturing Co. The deal calls for a flat fee of $100 per musical number per short subject. There is no limit placed on the number of prints or the term of use.

Establishment of a uniform license fee ends the haggling which has been going on between Globe and Fox for the past several months. Globe not so long ago resorted to a pecular strategy to force a showdown on the issue of price. It elected to exercise a phonograph record manufacturer's rights under the compulsory provision of the copyright law by serving notice of use on the copyright owners and making itself obligatory to pay 2c per print. In the meantime it farmed out the making of these coin-machine films to various studios.

According to the information in Fox's hands about 26 of such subjects have already been turned out for Globe. So far there are but 300 of the Globe film machines on location. The main difficulty of distribution has been the limited facilities for manufacturing the projection equipment that the machine requires.

Timid Protected

Youngstown, O., Feb. 18

Because jitterbugs have become a nuisance at crowded school dances, the student council at Youngstown College has passed a new rule, providing that three slow dances be played to one fast dance at all college functions in the future.

Ralph Skerratt, president of the student governing group, said the new system will permit conservative dancers to venture onto the floor three out of every four numbers without risking life or limb. He said that the rule might revive the waltz and other graceful steps.

Divorce Buddy Rogers If He Didn't Give Up His Band, Suit Avers

Charles (Buddy) Rogers and Mary Pickford were ordered to submit to an examination before trial in N.Y. federal court whenever they come into New York by Judge William Bondy. The court ordered the examination at the request of Arthur T. Michaud and James V. Peppe, managers, who are suing the band leader and his actress wife for $300,000, claiming breach of contract.

Plaintiffs claim Rogers signed a 10-year managerial contract with them which he broke due to threats of divorce on the part of Miss Pickford, who, as an inducement to the breach, offered to secure a better position, either as an actor or director in Hollywood for Rogers.

VICTOR HUGO, BEVHILLS, ON THE SPOT WITH AFM

Hollywood, Feb. 18.

James C. Petrilo, AFM president, has placed the Victor Hugo nitery, Beverly Hills, on the forbidden territory list. Nitery has been ordered to make nightly payments on $5,000 owed to Ben Bernie.

Tex Harris, with local union band, now at the Victor Hugo, is being paid off nightly.

LEO TALENT'S NEW JOB

Robbins Vacations Idle Staff With Pay for Fortnight

Leo Talent has quit as professional manager of Robbins Music Corp. to manage Glenn Miller's publishing house, Mutual Music Society.

Jack Robbins last Saturday (15) gave his professional staff two weeks vacation with salary rather than have them sitting around the office in idleness.

A.F.M. Exec Hospitalized After Fight

Pepitone, 70-Year-Old New Orleans Prez, Suffers Fractured Skull in Backstage Tussle

New Orleans, Feb. 18.

Police are holding William E. Sharp, 35, stage manager of the Lafayette theatre here, after a reported backstage altercation that resulted in serious injury to Giacchino Pepitone, 70, president of Local No. 174, American Federation of Musicians. Pepitone is in Charity hospital suffering a fractured skull, sustained, police say, when he was shoved to the floor by Sharp.

Charles Levy, 37, manager of the theatre, told police that an argument started between Sharp and Pepitone Tuesday (11) when the musicians' union head refused to obey Sharp's order to leave the stage, and that after Pepitone had swung at Sharp, the stage manager pushed him to the floor.

Pepitone's condition was said to be serious.

Mrs. Schroeder Injured

Lincoln, Feb. 18.

Mrs. Vic Schroeder, wife of the booking agency exec in Omaha who services this territory, was in an auto crash last week and suffered such nervous shock and internal disturbances that four blood transfusions were necessary.

Blood was given by Eddy Dunsmoor, orchestra leader, and Lyle DeMoss, music production chief at WOW, Omaha. She's doing better now.

Dick Strayter, former trumpeter and vocalist with George Duffy's band, has become a room clerk at the Commodore Perry Hotel (suffering from a bad lip.)

Physician Sues Danceman, Says He Financed Him And Now Is Denied Audit

An application by Louis G. Small, N.Y. physician, to attach the N.Y. properties of Jerry Blaine, orchestra leader, revealed a $2,400 suit against Blaine in the N.Y. supreme court last week. Plaintiff claims that on Aug. 9, 1940, he lent $350 to Blaine to promote and publicize his orchestra and was to receive 15% of the net profits or a minimum of 3% of the gross.

Blaine had represented to Small that he had bookings at $1,000 weekly for 14 weeks, from August through December, 1940. It is claimed now that this statement was not true, and Blaine is refusing to allow Small's attorney to look at his books.

Indict Gene McCann In Shilkret, Cummins Case

A federal grand jury yesterday (Tues.) returned a six-count indictment against Gene McCann, formerly connected with the N. Y. Stock Exchange, charging mail fraud. Among the alleged victims of McCann were Nathaniel Shilkret, who lost $817, and Samuel Cummins, president of Nu-Color Motion Picture Corp.

Shilkret was involved by the incorporation of the Nathaniel Shilkret Music Publishing Corp. in October, 1939, McCann being charged with having borrowed the money from him to set up the company and get it passed by the SEC, which subsequently rejected the application to sell stock.

Shilkret was sued subsequently by McCann for $20,000 damages in the N. Y. supreme court, claim being commissions which would have been due had he been able to float the stock.

Hector's Freak Encounter With a Flying Fish

Boston, Feb. 18.

Charles Hector, WEEI house band leader, found there is no rest for the weary musician when he tried to relax at Boston Sportsmen's show.

He was watching a salmon fishing exhibition, when one fish leaped out of the net in which it had been caught and landed with plenty of force against Hector's jaw, spoiling his profile for several days. Sockeye Salmon?

On the Upbeat

Clyde McCoy is adding Joe Morelli, guitarist, to his band. Morelli joins the crew at the close of its Tower theatre date, Kansas City, and opens next week at the Minncapolis. Comes in from Florida. Burt Roth leaves the McCoy orch.

Ted Lewis orchestra is set for string of one-nighters in the central west including dates in Oklahoma City and Tulsa. After that the troupe treks to the West coast where some club dates will be filled, the first one at the Bal Tabarin in San Francisco.

Phil Levant played the rhythms for the 'Blackout Ball' at Kemper Military Academy, Booneville, Missouri.

Ace Brigode at the Music Box and Don Roth and band at the Chez Paree, Omaha.

Nick Dagula, electric guitar player with the Continentals at Ruby Foo's Beachcomber, Crown Hotel, Providence, is the latest of the local contingent to be snapped up by a nationally known band. He joined Tommy Tucker's crew this week.

Blue Barron band goes back into the Edison hotel, New York, April 3 for another five-month stretch. He will replace the current Mal Hallet band and stay until September.

Jack Owens cleffed 'I'm Love Happy' for publication by Broadcast Music, Inc.

Johnny Martel, trumpet, and Geo. McDonald, same, new in Bobby Byrne brass section. Martel replaced Nick Galieto. McDonald replaced Chuck Forsythe. Louis Carter, pianist never before with a band also replaced Gabe Julian, who was drafted.

Tommy Reynolds band shifted from Music Corp. of America back to Consolidated Radio Artists booking management.

Cab Calloway renewed for another year on Columbia Records' Okeh label.

Mike Reilly will augment his current six-piece combo to nine, and Marion Miller, vocalist. He's now at the Hour Glass, Newark, N. J.

Four Inkspots, on the Coast for work in 20th-Fox film, 'Great American Broadcast,' to do guest shot with Bing Crosby Feb. 27. Moe Gale, Spots' manager, is with them on combo vacash and booking trip. He'll be gone five weeks.

Glaser-Consolidated Attractions, Inc., New York has been dissolved.

Elaine Stahl, WTAG, Worcester, Mass., staff vocalist, has replaced Wini Stone with Dol Brissette's orchestra. Miss Stone has left the business, Brissette has added two fiddles to his standard combination: Dan Silvester and Elmer Johnson.

Vaughn Monroe one-nights Sunday (23) at Ritz Ballroom, Bridgeport. Jimmie Lunceford skedded for March 30.

Tommy Dorsey plays three days beginning Sunday (23) at State, Hartford. Bobby Byrne follows Feb. 28.

Billy Baer orchestra, from Milwaukee, left for an engagement at the Nicollet hotel in Minneapolis Friday (14) with a headache before they started. Will do 12 broadcasts a week over WCCO and WTCN with only BMI, while programs over WMIN can have both ASCAP and BMI music.

Art Perry, Gray Gordon vocalist, to be screen-tested (20) by 20th Century-Fox in New York City.

Vaughn Monroe orchestra has been selected to record 'Requestfully Yours,' winning title of theme-song contest conducted by Paul Brenner, platter-spinner at WAAT, Jersey City. It will be on Bluebird label.

Herman Middleman opened Monday (17) at Yacht Club, Pittsburgh, for indefinite stay, following Jack Walton outfit.

Eddie Camden into Merry-Go-Round, Pittsburgh, for four-week stretch, replacing Al Fremont crew.

Paul Pendarvis pencilled into Casino, Pittsburgh, for two months in middle of March. Clyde Knight will remain there until then.

Ciro Rimac band and show had option lifted for four additional weeks at El Chico, Pittsburgh. Opened there Jan. 18.

Ralph Allen back at New Penn, Pittsburgh, for third engagement at that spot this season, the Henry Blauth crew vacating.

Howard Becker booked for second consecutive season at Pines, Pittsburgh, with opening of outdoor Sunken Gardens scheduled for Decoration Day.

Bob Hartsell of Salisbury, N. C., has joined Dean Hudson's orchestra in New York City as pianist. He has been playing with Freddie Johnston's University of North Carolina orchestra.

Bill McCune orch follows Charles Baum into Hotel Statler, Buffalo, Friday (21).

Camp Custer's band, which was short in the brass section, is going to get two welcome additions. Two members of Don Pablo's orchestra, Dick Krieg, trumpet, and Bill Wyrick, sax, have been called up and will leave shortly.

Max Gordon has become organist at the Esquire Theatre, Toledo, O.

Gene Krupa plays the Trianon Ballroom, Toledo, Feb. 20, and Will Bradley and his orchestra play there Feb. 27.

Chauncey Haughton from Cab Calloway's band replaced George Dorsey on lead sax with Ella Fitzgerald's orchestra, with Dorsey due to join Don Redmond.

Vincent Lopez headed for New York stand at the Hurricane nitery. Goes in Feb. 25.

Count Basie guest stars on Benny Goodman's Old Gold commercial Feb. 24.

Alvino Rey made a two-sided version of the William Tell Overture' for Bluebird. First side is a blues and second in swing tempo.

Jimmie Lunceford scheduled for a return to the Casa Manana, Culver City, Calif., June 24 for four weeks. Lunceford begins his new recording contract at Decca with a date March 26.

ANDY KIRK

and his "Clouds of Joy"

featuring

MARY LOU WILLIAMS

at the piano

•

JUNE RICHMAN

HENRY WELLS

Vocals

•

BEACON THEATRE

VANCOUVER, B. C.

Week (Feb. 21)

•

DECCA RECORDS

Management

JOE GLASER, Inc.

30 Rockefeller Plaza, New York

Circle 7-0862

HEIDT SUED FOR $5,600 FEES BY HIS LAWYERS

William F. Purcell and Francis J. Purcell, attorneys, filed suit yesterday (Tues.) in N. Y. supreme court against Horace Heidt, orchestra leader, for $5,600 legal fees.

Of the asked for amount, $600 is claimed to be due for representing Heidt in an action against Virginia Miriam, Jean, Maree and Helen Ahm, the Beachcombers Restaurant, Inc., and Monte Prosner, and the other $5,000 is claimed to be due for representing Heidt and his wife, Adaline, in a divorce action.

Music Notes

Musical Notations, Inc., has been chartered in N. Y. State to conduct a business in systems of musical notation, with principal office in New York. Directors are: Adolph L. Schriiver, G. Thomas Randazzo, Harries A. Mumma, Jr., Bronxville. F. L. Bissinger, filing attorney.

Cheri Music Publishers, Inc., has been chartered to conduct a music publishing business in New York. Directors are: Samuel Simon, Alice Pollak, Ethel Feinberg.

Howard Jackson's musical score from 'The Dog in the Orchard,' a Warners short, will be played by the Los Angeles Philharmonic Orchestra in its next series of concerts in Hollywood Bowl.

'Thank You America' and 'The

Remick is publishing two songs from the Deanna Durbin-Universal production, 'Nice Girl.' They Lights of Home.'

Sing Song Music Corp., New York, has been dissolved, according to papers filed with the Secretary of State in Albany by Monty Siegel.

David Snell doing the score for 'Love Crazy' at Metro.

Eddie Cherkose doing the lyrics for Jules Styne's musical numbers to be used in 'Rookies On Parade,' at Republic.

Dorothy Stewart, U. S. representative of Australia-New Zealand Theatres, Ltd., has composed a cowboy ballad, 'Rock Canyon Home,' which Joseph Davis will publish. James Robertson will record it for Bluebird. Miss Stewart composed 'God Bless Australia,' which is being considered for adoption as the official Aussie anthem.

Phil Harris orch plugging three new tunes written by Gus Schilling, burlesque comedian. Numbers are 'I Married an Eskimo,' 'Soda Jerker' and 'You Tried to Break a Broken Heart.'

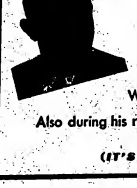
Frederick Hollander will do an original song for Nan Wynn to warble in Warners' 'Miss Wheelwright Discovers America.' Lyrics by Jack Scholl.

'Wake Up the Dawn,' tune by Bill Watters and Howard Steiner, has been bought by George Weeks for 'Tumbledown Ranch in Arizona.'

Howard Jackson scoring 'Singapore Woman' at Warners.

Jimmy Davis, hillbilly composer and recording performer, is in New York doing a series for Decca. In Shrevcport, La., he's the chief of police.

Arthur Park was transferred from Music Corporation of America's San Francisco office to the agency's motion picture division in Hollywood. Ruel Freeman takes over the Frisco Job.



TOMMY DORSEY

REPEATS WITH ANOTHER BALLAD HIT IN

"The One I Love"

(Belongs to Somebody Else)

With his sensational VICTOR RECORD 26650

Also during his record-breaking Theatre Dates, Hotel and College Engagements

(IT'S A FORSTER PUBLICATION)

Band Grosses on One-Nighters

Gus Arnheim (Turnpike Casino, Lincoln, Neb., Feb. 14-16). Bucked all-University party one night with Joe Sanders, but priced at 55c per person, and featuring a 5½-hour session on Sunday (16), gathered a swell $1,300.

Bill Bardo (Totem Pole B., Auburndale, Mass., Feb. 14-15). Boston College rooters turned out en masse to welcome Bardo's return here after playing B. C. Victory ball in New Orleans following B. C.-Tennessee football game last month. Packed in 4,102 at $1.35 per couple, bulging receipts to $2,788.85—1,648 dancers Friday and 2,454 on Saturday.

Count Basie (Municipal Aud., Atlanta, Feb. 13). Rain didn't bother Basie's draw here. He corralled 3,217 at 75c plus tax and played a $2,413 tune at the b.o.

Bobby Byrne (Nu-Elm B., Youngstown, O., Feb. 8). Fair attendance of 1,030 turned out at 75c advance, 90c at door. (Myers Lake Park, Canton, O., Feb. 9). Band drew approximately 800 here at 65c and 75c to gross disappointing $486. (Empire B., Allentown, Pa., Feb. 12). Quick return to this section (band played Empire about three weeks ago) grabbed less than first trip. Date drew slightly over 700 at 75c.

Fenton Bros. (Ricker Gardens, Portland, Me., Feb. 13). Fentons provided no dancefloor crush here with 300 attendance at 40-45c for an estimated $130 gross.

Gray Gordon and Dean Hudson (Playmor and Raymor Ballrooms, Boston, Feb. 14). Gordon and Hudson playing twin ballrooms brought in fine gross of $1,280 with 2,132 patrons scaled at ladies 55c and gents 65c. Gray Gordon and Bunny Berigan coupled in same ballrooms (15) jammed 'em like sardines with 2,652 at same prices to account for $1,595 in till.

Erskine Hawkins (Keith's Roof, Balto, Md., Feb. 15). Hawkins hit a fair Saturday night crowd of 1,090 at 85c for a gross of about $925.

Earl Hines (Roseland-State B., Boston, Feb. 14). Catering mostly to colored people, at hop sponsored by Waiters Local, Hines garnered big 1,552 dancers at $1 per head.

Dean Hudson (Ritz B., Bridgeport, Conn., Feb. 17). 1,080 dancers at 65c a head stacks up as a good draw for Hudson's band.

Al Kavelin (Ritz B., Bridgeport, Conn.). Kavelin's 600 draw at 75c, accounting for a $450 gross was fair considering his name and price.

Jimmie Lunceford (Trainon B., Cleveland, Feb. 16). Lunceford did good job here, pulling in 2,000 hoofers at 75c for a $1,500 gross (U. of Kentucky, Lexington, Ky., Feb. 15). Outfit packed the U. gym with 2,000 campus hoppers who paid $5 a couple. (Graystone B., Detroit, Feb. 17). Sock 2,500 draw at 75c and 90c responded to Lunceford here. Gross, $1,900.

Clyde McCoy (Chermot B., Omaha, Neb., Feb. 16). Mc Coy sardined capacity 2,600 into this spot at 55c before 9 p.m. and 77c after. Gross of $1,200 was big.

Boyd Raeburn (Peony Terrace, Omaha, Feb. 15-16). Capacity here is 600 couples and Raeburn drew 'em at 50c per head over two nights. Gross, free of tax, was $600.

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by operators to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parenthesis indicate the number of weeks each song has been in the listings and respective publishers.)

1. Frenesi (7) (Southern)	Artie Shaw.....Victor Woody Herman.....Decca Benny Goodman...Columbia
2. I Hear Rhapsody (6) (BMI)	Jimmy Dorsey.....Decca Charlie Barnet.....Bluebird Al Donahue.....Okeh Dinah Shore.....Bluebird
3. Last Time I Saw Paris (5) (Chappell)	Kate Smith.....Columbia Leo Reisman.....Victor Russ Morgan.....Decca
4. Yes, Darling Daughter (6) (Feist)	Dinah Shore.....Bluebird Glenn Miller.....Bluebird Johnny Long.....Decca Andrews Sisters.....Decca
5. I Give My Word (10) (BMI)	Al Kavelin.....Okeh Eddy Duchin.....Columbia Jack Leonard.....Okeh
6. Stardust (5) (Mills)	Tommy Dorscy.....Victor Artie Shaw.....Victor
7. You Walk By (3) (BMI)	Tommy Tuck .....Okeh Eddy Duchin.....Columbia Wayne King.....Victor
8. Santa Fe Trail (5) (Harms)	Sammy Kaye.....Victor Guy Lombardo.....Decca Dick Jurgens.....Okeh Kate Smith.....Columbia Bing Crosby.....Decca
9. Salud Dinero Y Amor (1) (Marks)	Vaughn Monroe....Bluebird
10. Nightingale Sang (9) (S-B)	Glenn Miller.....Bluebird Sammy Kaye.....Victor Kate Smith.....Columbia Bing Crosby.....Decca Jack Leonard.....Okeh

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

One I Love (Forster)	Tommy Dorsey.....Victor Ella Fitzgerald.....Decca
Memory Of a Rose (S-B)	Sammy Kaye.....Victor Glenn Miller.....Bluebird Jimmy Dorsey.....Decca
Hello Ma, I Done It Again (Robbins)	Bea Wain.....Victor Ella Fitzgerald.....Decca Mitchell Ayres....Bluebird
Anvil Chorus (BMI)	Glenn Miller.....Bluebird Les Brown.....Okeh
There'll Be Some Changes Made (Marks)	Ted Weems.....Decca Benny Goodman...Columbia Vaughn Monroe....Bluebird Gene Krupa.....Columbia
May I Never Love Again (BMI)	Bob Chester.....Bluebird Charioteers .....Columbia Ginny Simms.....Okeh
San Antonio Rose (Berlin)	Bing Crosby.....Decca Gray Gordon.....Bluebird Dick Jurgens.....Okeh Bob Wills.....Okeh
It All Comes Back to Me Now (BMI)	Eddy Duchin.....Columbia Gene Krupa.....Columbia

'Reds'-N. Y. AGVA Row

Continued from page 3

less. It was far from the same bitter, name-calling statement he made to the Four A's, but it was read at the meeting. First Phil Irving, discharged N. Y. executive secretary, passed out mimeographed copies bearing the tag 'AGVA Blackout?' later Haddock read portions of it and made comments and accusations regarding supposed attempts by certain interests to 'sabotage' AGVA and president Dewey Barto's alleged part in those attempts.

'Cards On the Table'

The meeting was called for the purpose of laying AGVA's cards on the 'table' before the membership, explaining the change in administration and what was being done. On the dais were Griffin, Frank Gillmore, president of the Four A's; Paul Turner, counsel of AGVA, Equity and the American Federation of Radio Artists; Nat Nazarro, Jr., exec secretary of AGVA's Pittsburgh local; Charles Nelson, holding a similar position in Cleveland; Professor Maji; Bob Edwards, exec sec in Cincinnati; Jack Irving, exec sec in Chicago, and Charles Brett, of Boston.

Griffin opened the meeting with the statement that 'all speeches must be completed without interruptions . . . this must be and will be an orderly meeting . . . we were advised that disruptive forces would be at work here and that we should have policemen . . . but ladies and gentlemen of the theatre don't need policemen.'

He then turned the mike over to Gillmore, who stated that the Four A's was heart and soul with you, and its ambition is to see you well organized . . . and respected as a group as you are as individuals.' Gillmore stated that, although he was virtually retired and living in 'the deep suburbs,' he was vitally interested in AGVA and 'had to be here today.'

Turner Recounts Union's History; Haddock 4th Sec.

Turner then recounted some of the history of AGVA, mentioning that Haddock was the fourth executive secretary since AGVA's inception in place of the disenfranchised American Federation of Actors 18 months ago. Maida Reade, Dorothy Bryant and Jean Muir had preceded Haddock in that order. Turner, in talking about the new executive committee administering AGVA's affairs, stated that 'an experienced administration was necessary to tide over AGVA in this emergency,' caused by the dismissal of Haddock and the resignation of Barto as national president. Turner, without mentioning names, drove home one important point when he said:

'Especially in New York—and curiously enough only in New York—the organization has not been as effective as we would want it. That's been the chief complaint of many members—that the so-called radical faction in AGVA's N. Y. branch was not conducive to AGVA's well-being.

The Fireworks

Turner's offer to answer questions from the floor started the fireworks. One member arose and questioned Haddock's right to be at the meeting. Griffin then said that the purpose of the meeting had been changed when Murray Lane and Lou Taylor refused to show their membership cards and demanded the right to remain, and that it was now an open meeting, 'but only actors could talk.'

Another person on the floor then sprang to his feet and asked why Haddock was dismissed. Griffin ducked this, stating that it was out of order. The chairman then went into his own scheduled address.

First, Griffin talked about Haddock. He said that the deposed exec sec did not understand the show business; 'just doesn't know how to handle our people.' On the other hand, Griffin said, 'Barto was very anxious to do things for the actor, from a showman's point of view, and there was conflict (with Haddock).' It was then decided that Haddock should be released and was given two weeks' salary.

'It was suggested at the Four A's meeting that Haddock be reinstated,' Griffin continued, 'and much was made of the fact that the vote (dismissing Haddock) was six-to-six (not counting Barto's). Walter N. Greaza then explained that while he, Mrs. Florence Marston and Ruth Richmond did not vote for Haddock's discharge, they were in favor of it but not at that time.'

Challenged From the Foor

This was challenged from the floor by Charles Arno, from AGVA's radical faction, but Mrs. Marston, present at the meeting, corroborated Griffin.

In talking of Barto's resignation, Griffin said the ex-president stated 'he was very tired . . . wanted to give some time to his family . . . wanted to get rid of all the bickering.' Griffin brought out that, among other things he did for AGVA, Barto paid a Florida organizer $25 a week out of his own pocket.

Then Griffin brought up the matter of the N. Y. local election last fall and read a report from attorney Henry Jaffe, who resigned recently, on why the election should be declared illegal. The election, Jaffe's letter brought out, violated the national board's rules by not holding a membership meeting for the purpose; by permitting balloting by mail instead of in person; by the fact that no committee was elected by the N. Y. membership to check the election, and that one or more paid employees of the N. Y. local (especially Phil Irving) attended meetings and participated in the election.

There were also discrepancies in the counting of the ballots. For instance, the 'official tally' for Jimmy Hollywood (defeated presidential candidate) was 32 votes, but a national office recount showed only 26 votes. On the other hand, the official tally for Hazel Scott was 48 votes, but the recount showed 53 votes. Altogether, it was stated, there was the surprising low total of only 80 votes cast.

After stating that conditions in most of the N. Y. niteries for performers was 'pretty lousy' and that AGVA was trying to get better working hours and a six-day week, Griffin recounted AGVA's financial condition. He said that while AGVA had total cash resources of $5,433, the vaude-nitery union owed Equity, SAG and Chorus Equity a total of $70,587.06.

373 Paid-Up Members

As for AGVA's N. Y. membership, Griffin said there was a total of 265 paidup principals and 108 chorus as of Jan. 31, 1941, for a total of 373, as against 535 paid up last Oct. 31. The total membership of the N. Y. local at its highest point was 2,170, but 1,153 are in arrears currently and others withdrew, etc. He made an approximate estimate of the national membership as 13,455, but only 25-30% of these, Griffin added, were paid up. Returning to the N. Y. local's financial setup, Griffin said it must take in $1,922 a month to break even on operation, which includes part of the national expense.

The end of Griffin's speech brought renewed attempts by Charles Arno, Elton Rich, Murray Lane, Phil Irving, Bobby Dare and others to have Haddock read his report. Griffin then interjected with:

'Haddock's report is filled with recriminations and personalities.'

Lane then demanded that, since it was an open meeting, Haddock should be heard. Another actor ran to the mike and shouted:

'All of you are chumps if you don't insist on Haddock's side of the story.' Pete Wells then made a plea of unity.

At this time Elton Rich, another from the 'radical' side, got on the dais, and pointing to the American flag as a symbol of justice, demanded Haddock's report be heard. Phil Irving loudly seconded Rich.

Asks Ruling of Turner

Griffin made an attempt to stop the insurgent movement and asked for a ruling from Turner. Latter stated that Haddock's report would be out of order, but Bobby Dare then challenged the dais, declaring that Griffin, as chairman, was wrong in asking a ruling from Turner.

Griffin then told the meeting of Haddock's threat earlier in the day that his report would be read regardless. The chairman insisted that the regular agenda of the meeting be followed, meaning that the representatives from the out-of-town locals would have to be heard before an open forum was declared. This gave Professor Maji his chance and, disdaining the mike, he 'told off' the assemblage in no uncertain terms. Regarding the obvious factionalism and bickering, Maji made one caustic remark:

'The people who have said that the N. Y. performers weren't bright enough to have their own union were evidently right.'

He added that he found the situation in N. Y. extremely bad when he came here last Thursday (13), but since then he had faith that the national organization, with the sincere help of the Four A's, would be put on the right track. He demanded that the N. Y. membership become a cohesive group for the sake of AGVA and stop the bickering among themselves. After Maji had completed his story of the continued progress of the Detroit local, Bob Edwards, Charles Nelson, Jack Irving, Charles Brett and Nat Nazarro, Jr., gave similar reports. All of them brought out that the out-of-town branches were flourishing, while both the N. Y. local and national administration were constant turmoil and red ink.

The windup of the outside reps' reports brought a renewed clamor for Haddock's report, but by this time the meeting was nearly three hours old and a good part of the audience had scrammed. Finally, as an appeaser, Haddock was asked to read the same report he had read before the Four A's. This he did not have; only the mimeographed and doctored version that had been passed out shortly before by Irving, Rich, Arno and Lane; but he came up on the dais regardless.

Jack Miller, N.Y. organizer, then challenged him, saying he did 'not want to listen to a communist . . . and that if Haddock was to speak then Miller wanted to read to the meeting 'what happened in Washington in 1939.' He referred to the naming of Haddock as a Communist before the Dies Committee.

Emily Marsh, of Chorus Equity, entered into an exchange with Miller, claiming that she wrote Congressman William P. Lambertson, who wrote in the Congressional Record that Haddock was a Red, and accused him of being 'a liar without Lambertson ever replying.' Miller attempted to get in a return against Miss Marsh, also frequently accused of being a Communist, but Griffin insisted that nobody follow the tactics of 'several of Haddock's adherents' in disrupting the meeting. He signalled Haddock to go on.

Haddock Hits 'Organized Try to Break Up AGVA'

The deposed executive secretary opened up by claiming that there 'is an organized attempt to turn AGVA over to the employer agents, or break it up.' From the rear of the hall, Emily Holt, of AFRA called out:

'That's an outrageous statement.'

She demanded to know if Haddock had any proof of his charge, and if so to disclose it. He didn't.

Distinctly different from his report before the Four A's, in which he accused Barto of virtually every attempt possible to sabotage AGVA, Haddock had evidently greatly toned down. There still were some charges against Barto included, but mostly his report asked the AGVA members to take a greater interest in their union; hold a real election and change their constitution. He lauded the American Federation of Radio Artists for its sucessful organization within three and a half years. Miss Holt thanked him for this, but pointed out that AGVA's constitution was nearly word for word the same as AFRA's.

Haddock's report, instead of being full of fireworks, was held to have been disappointing. The meeting wound up immediately thereafter. Haddock asked to be permitted to read his 'real report' before a larger membership meeting, but the consensus of opinion is that he will never again get the opportunity.

According to Griffin, Haddock told him that he had two other union jobs waiting for him. The chairman told the meeting that this means 'his dismissal works no hardship on him.' However, Haddock made it plain that he would like to get back into AGVA. It was claimed by one authoritative source that Haddock financed most of the mimeographing and binding his nine-page report, with Arno, Rich, Irving and Miss Marsh sharing in the cost.

JOINT COMMITTEE SUPERVISES AGVA AFTER BARTO QUITS AS PRESIDENT

Expensive Throat-Cutting

An indication of the cut-throat tactics of some club bookers in New York can be drawn from the competitive bidding and eventual profit on a recent privately-sponsored show. One booker offered a lineup of talent for $1,000; another offered to get the same acts for $750.

The second salesman got the job, but the show cost him $743, making his profit only $7.

Resignation Follows Meeting That Permitted Haddock, et al., to Excoriate Union Head—Gerald Griffin Pro Tem Leader

Until such time as a national election by referendum is completed within 60 days, the American Guild of Variety Artists is being administered by a joint committee of five Associated Actors and Artistes of America representatives and AGVA executive board members. Gerald Griffin has been appointed administrative head pro tem of AGVA, under the supervision of the joint board and without salary.

This was the culmination of another hectic week in AGVA affairs, precipitated by the discharge last Monday (10) of Hoyt S. Haddock as national executive secretary and the subsequent resignation on Friday (14) of Dewey Barto as national president. Barto had cast the deciding vote at the joint meeting of AGVA's national board and Four A's reps which ousted Haddock.

Barto's resignation, however, was not looked for and was the result of the surprise appearance last Thursday (13) at a Four A's meeting of Haddock, Phil Irving, who was ousted as N. Y. local executive secretary some time ago; Charles Arno and Elton Rich. Barto burned up when all four were permitted to speak, although it had been the AGVA president's idea that the meeting had been called strictly for the purpose of deciding upon a new executive secretary for AGVA.

Haddock Scores Barto

Haddock not only spoke, but read a long report excoriating Barto. He claimed Barto was selling out the actors to theatres and niteries; that he was hindering the progress of AGVA; that Barto and not Haddock was damaging to AGVA. Haddock stated that he knew Barto was ready to recommend a new executive secretary who was a 'scurvy, crooked former actor.'

At this point, Barto interjected with the statement that it was true he had already submitted a replacement. He then mentioned Walter Greaza, assistant executive secretary of Equity and one of that organization's respected officials. Haddock had no reply. Incidentally, Greaza has frequently turned down all bids to step into AGVA as exec sec.

Barto was further angered when Irving, Arno, Rich and then Emily Marsh were permitted to attack him. He then walked out of the meeting, first stating that he would tender his resignation to AGVA's national board the following day (Friday).

The Four A's subsequently explained that Haddock, Irving, Arno and Rich had asked to be heard at the meeting and their request was granted. Haddock's dismissal, however, was permitted to stand and on Saturday (15), the new joint administrative board of AGVA, with Griffin sitting as chairman, stated:

'Haddock's report was that of a discharged employee and taken as such.'

'Accepted With Regret'

It was added that Barto's resignation had been accepted 'with regret' and that an embossed resolution thanking Barto for all he had done for AGVA was being sent him.

The new board at this meeting asked that it be made clear it was sitting as an impartial administration and was not taking sides in any factionalism; that it would do its best to make AGVA a cohesive organization; that the national election will give all AGVA locals over the country representation on the national board according to the numerical strength of their memberships. Professor Maji, president of the Detroit local, and Bob Edwards, executive secretary in Cincinnati, both currently in New York and given voice on the board, then stated that they have been satisfied in the past week that AGVA was now on the 'right track.' Edwards said he had received permission to speak for the Cleveland and Chicago branches as well as Cincinnati's.

With Haddock out, virtually the entire so-called 'radical' faction has been eliminated from paid positions with AGVA. Only alleged 'radical' now remaining against whom criticism has been levelled is Ken Howard, executive secretary in Los Angeles.

Haddock's 2-Weeks' Notice

Haddock's discharge called for two weeks' notice and pay. A check for this was given him last Tuesday (11) and he was asked by Barto to leave. The deposed executive secretary attempted to remain until the two-week period was up, but was turned down. Immediately, the so-called communist element in AGVA rallied to his side, including Irving, Arno and Rich. Others of this faction promised 'fireworks' at the N. Y. local's membership meeting Monday (17) at the Hotel Abbey.

Gerald Griffin, actor-columnist,

(Continued on page 52)

L. A., S. F. AGVA TOPS PROTEST N. Y. POLICY

Los Angeles, Feb. 18.

Demand by Coast groups they share in policies and selection of officers of the American Guild of Variety Artists gained support of the Screen Actors Guild at a SAG board meeting last night with heads of AGVA, Frisco, and Los Angeles locals. Further meetings were ordered to aid in solution of organization problems.

Demanding a meeting of representatives of all locals of American Guild Variety Artists be called to select a new national executive secretary for AGVA, heads of the Los Angeles and San Francisco Chapters Sunday (16) night wired Gerald Griffin in New York questioning any other method of deciding national policies or personnel for the organization. The joint wire was signed by Cliff Nazarro, prexy, and Kenneth Howard, executive secretary of the Los Angeles local, and Lou Ashe, prexy, and Vic Connors, executive secretary of the San Francisco group.

Griffin has been designated by committee of Associated Actors and Artistes of America to operate affairs of AGVA pending selection of an executive secretary. It has been indicated this selection would be made by the AAAA committee. Griffin, a member of the national board of AGVA, is headquartering in New York.

In addition, it was learned that Kenneth Howard and Vic Connors will confer today with Kenneth Thomson, executive secretary of Screen Actors Guild and vice-prexy of the AAAA's. While the names of one or two Hollywood figures have been mentioned as possible selections for AGVA executive secretary, those being most prominently mentioned in the east are Alan Corelli and J. Howard Miller.

Contents of Wire

The wire sent to Griffin follows:

'The San Francisco and Los Angeles locals regret that they were unable to send their representatives to the meeting in New York today. We favor a meeting of representatives from all locals, but only after adequate notice and preparation are given and furthermore insist that such a meeting be called with authority to select a temporary executive secretary and formulate a program until such times a national convention can be held. We question the right of the New York local or this New York meeting to make any decision affecting national policies or personnel.

'We further question the constitutional authority of the national board of AGVA or the AAAA's to make any selection of an executive secretary prior to calling the national convention. In making this protest and submitting this program we have full confidence that only by this method can the demands and needs of the 6,000 members organized by our locals be realized and the future of AGVA as a national organization be assured.'

Gov't Nicks N. Y. Cafes for $2,000,000 In Back Taxes; Stark's Jail Sentence

During the past 18 months, the Government has collected over $2,000,000 in delinquent taxes from New York City niteries. Jesse Moss, assistant U. S. attorney in charge of the districts of N. Y., Brooklyn, Long Island and New Jersey, has prosecuted 108 cases and secured convictions in all during that period.

Thursday (13), Herman Stark, managing director of the defunct Cotton Club, was fined $1,500 and sentenced to six months in jail for amusement tax evasion by Judge Alfred C. Coxe in the N. Y. federal court. The court suspended sentence if Stark paid the fine and made good approximately $4,000-$5,000 due in social security and amusement taxes to the Government. The treasury department will collect the former. Stark will be unable to re-enter the field and secure a license because he was convicted of a felony. Had he been convicted of a misdemeanor, with which most of the cases are concerned, he would have been able to secure another night club license.

The tax collected is 4% on every dollar, which is a jump of 1% since last July. The Government collects its money monthly so that returns do not accumulate. Due to a shortage of men, at times the U. S. slips up and only visits the clubs every several months, which sometimes is the reason for large amounts in the kitty when indictments are filed.

The Government realizes that its staff is inadequate to visit each club monthly and make collections, giving nitery ops the temptation to use Government funds for themselves. Unless staff additions are made, the Government will have to depend on the honesty of the club owners or managements, or the fear that they will be caught, to aid in collecting returns.

Among some of the recent indictments or convictions are the Ross Fenton Farms, conviction; Open Door, under indictment; Coq Rouge, pleaded guilty; Dickie Wells, convicted; The Black Cat, convicted; The Famous Door, indictment filed; The Plantation, convicted; The Little Roumanian Rendezvous, convicted; El Toreador, convicted; Man About Town, convicted; Chateau Moderne, indicted; Brown Derby, indicted; International Casino, indicted; The Whirling Top, convicted; Barrel of Fun, the Hurricane and Mon Paris, all under indictment.

Sherman's New Booking

Eddie Sherman has taken over the booking of the Tivoli, Brooklyn, which this past week switched its policy from burlesque-films to five acts of vaude and usual features.

Sherman's first show in the indie house opened Friday (14). It sells the combination of double features and stage shows for 30c top at night.

NEED WIDE REPERTOIRE

Karen Cooper Reports On Many Song Changes in Havana

Singers playing foreign dates must have an extensive repertoire if they're to cope with the extreme competition, particularly in Latin America, says Karen Cooper, songstress, back on Broadway after playing the Casino Nacional, Havana.

The demand of the Casino Nacional management for a too-frequent change of repertoire is indicative of the general trend below the equator, she says.

Dick Henry Heads Morris Office Club Entertainment Dept.

The William Morris office in New York is setting up a private club and entertainment department, with Dick Henry at its head. It's the first time for the Morris agency in this specialty.

Henry, before the fireworks started in Europe, was head of the Morris agency's foreign sales department.

AGENTS ENDORSE NEW AGVA SETUP IN CHI

Chicago, Feb. 18.

At meeting of the Chicago Entertainment Managers Ass'n. last week, attended by 110 agents and bookers, a resolution was passed okaying the 100% agreement with the American Guild of Variety Artists. Meeting was singularly harmonious, with agents expressing their satisfaction at the manner in which the new AGVA setup here has worked to the betterment and improvement of the club booking business.

AGVA last week filed full signatured contracts with Balaban & Katz, the Mort Singer circuit and the Chicago Warner Bros. circuit. The Mort Singer contract was the first deal closed by AGVA with a circuit outside of Chicago in the midwest.

Veloz-Yolanda Plan Return to Dancing

Veloz and Yolanda, now on the Coast, are planning a return to the ballroom dancing field.

They've been in retirement almost two years, pending the birth of Frank Veloz, Jr., while the male half of the team devoted himself to the Yolanda racing stable and to re-cently put on dances for RKO-Radio Pictures.

Eddie Davis on Mend

Eddie Davis, co-boniface and solo star of Leon & Eddie's, New York nitery, returns to his bistro actively in a couple of weeks after being out since December following ear operation.

Dr. Julius Lempert performed a delicate aural incision and it's now on the mend.

U.S. Dancers' Baby, Born Same Day as Cuban Prez's Son, Draws State Award

Havana, Feb. 18.

The son of Liliane and Mario, born here Feb. 7, will be the only American baby to have a Cuban president's honorarium, including a $15 cash bonus, because of the fact the child was born on the same day that President and Mrs. Batista of Cuba also became parents.

By national proclamation a medallion and $15 went to every baby born that day.

Liliane and Mario retired professionally as dancers because of the family event, he devoting himself to stage-managing the revues at both San Souci and Casino Nacional, operated by the same syndicate.

MIAMI BEACH PAR SPOT QUITS VAUDE FOR FILMS

Negligible matinee trade forced Paramount to take vaude out of the Beach theatre, Miami Beach, recently and revert the house to straight films.

That leaves Par with only one vaudefilmer in Florida, the Olympia, in the city of Miami, a four-day stand. There are two or three other vaudfilmers in the sector, but they are independently operated and locally booked.

Claims False Use of Pic, Sues Hamid for $50,000

A $50,000 suit by Tom Lomas, owner, operator and performer in the novelty vaudeville act called Tom Lomas Troupe, against George A. Hamid was revealed Monday (17) in New York supreme court when Justice Morris Eder denied a plea by the defendants to dismiss the action. Suit asserts defendants have illegally used plaintiff's picture for advertising purposes.

It is stated that beginning in December, 1936, and continuing to date, the defendant has published plaintiff's picture in a book called George Hamid's Attractions,' which has been publicized among agents in the theatrical world. It was also stated that plaintiff is under exclusive contract to Hamid.

Defense claims that the picture was authorized by Lomas in 1936.

Emily Walters (Vox And) Sought as Beneficiary

Emily Walters, vaudeville actress, is being sought by the Penn Mutual Insurance Co. as beneficiary of a policy. Matter came to the attention last week of E. K. Nadel, agent who booked Miss Walters some years ago.

She was recently appearing in a ventriloquist act with Valentine Vox.

WGN'S BIG TALENT DEAL

Will Book $5,000 Show for Illinois Bankers Assn. Banquet

Chicago, Feb. 18.

Talent Division of WGN last week snatched its biggest club booking job in these parts when it obtained a contract to book the entire show for the banquet of the Illinois Bankers Ass'n convention at the Palmer House next month.

Convention will mark golden anniversary for the Association and the purse-strings are out for the celebration. Noel Gerson, Talent Division chief, indicates that the show will run close to $5,000, with WGN setting some of the top show biz names for the occasion.

Jack Curtis Joins Lyons

Jack Curtis has joined the A. & S. Lyons office in New York to handle the latter's nitery and theatre department.

Also brought in is Milton Pickman, who will work with Curtis on such bookings, including bands.

Night Club Reviews

CHEZ PAREE, CHI

Chicago, Feb. 8.

Sterner Sisters (2), *Lois Wallner, Commanders* (16), *Frank Libuse and Co.* (3), *Morton Downey, House Line* (16), *Lou Breese Orch, Don Orlando Orch.*

Another fine show here for a class audience. Headlining is Morton Downey, long a favorite with the Chez followers, and he proves eminently satisfying with his vocal routine.

Downey could have stayed on all night when caught. He opened at the piano with a series of pop tunes but came back at the insistent demand of the audience and took the floor mike to warble a session of strictly Irish tunes. The wearing of the green always gets 'em and the Goldbergs that haunt this joint were as vociferous as if they all came direct from Kilkenny instead of Minsk.

Frank Libuse clowns around a bit at the tables during the evening but turns in a really creditable variety routine on the floor. His hoke comedy is right for this show, lavish on production and emphatic on pretty singing. As far as singing goes Libuse's partner, Margot Brander, comes up with elegant pipes and indicates an ability to vocalize in spades during the 'Hear the Gentle Lark' clowning bit with Libuse. She makes a terrific foil for Libuse's clowning and is fully 50% of the effectiveness of the comedy.

Opening is the dancing Sterner Sisters, who make a nifty appearance and come through with some interesting routines.

Joey Jacobson and Mike Fritzel are trying something new here with the booking of 16 male voices accompanied by the high pipes of Lois Wallner. Distinctly unusual to see a mob of 16 men on a cafe floor, and this group is especially effective with its excellent vocal ability. They make a stand-out appearance and then sock home with a session of tonsil exercises that had these customers stomping for more. Miss Wallner sopranos along with the group and the combination indicates a real future in show business not only for the floor of the Chez Paree but in other top cafes and in theatres, radio and other outlets.

Fred Evans utilizes the 16 Commanders in a final production routine, working them into a little bit of waltzing with the 16 Chez Paree girls. Result is a floor blooming with 32 young and good-looking people to make an audience-tingling picture. Evans has also staged a series of production numbers here, clicking especially with the 'stirring opening Riff layout and the novel bell turn for the middle routine.

Lou Breese orchestra stays over and continues as one of the real favorites of the Chez and Chicago. Plays the best show accompaniment of any orchestra in local cafedom and the dance sessions are aces. Don Orlando orch supplements and stresses the tropical rhythm for the congarhumbaists. *Gold.*

Village Vanguard, N. Y.

The Revuers (Alvin Hammer, Betty Comden, Judith Tuvim, Adolph Green, John Frank), Eddie Hayward, Zutty Singleton Orch (3).

Village Vanguard is a converted cellar-nitery that probably retains more of the cellar than any of a number of such spots in Greenwich Village and 52d street, N. Y. Yet, in its third year now, it has done almost continually good biz. Responsible for that, against the odds imposed by the physical surroundings, is no doubt the unusual entertainment policy followed by operator Max Gordon (no relation to the legit producer of the same name).

With budgets limited by a house that's mobbed when it has 75 patrons, Gordon has been smart in obtaining such groups as The Revuers, now there for their second stand. Troupe of five is currently in its fifth week after an initial stay last season of eight months. Their relief in the interim was several other similar organizations and, for a long time, the Calypso Singers, that strange brand of Latin-American minstrels who invent lyrics on topical subjects as they go along.

Revuers return to their underground hutch from such an aerie as the Rainbow Room, N. Y., and the more earthbound spaciousness of the Music Hall, between the two of which they collected nine weeks of Rockefeller coin. They were also at the N. Y. Fair during the summer, and recently wound up 30 weeks on NBC sustaining. They'll return to the air if and when something more substantial is forthcoming.

Their presentation, which runs a little more than half an hour, is currently based completely on VARIETY, as they try to make intelligible—or 'translate into English' as they call it—this sheet's headlines. Routine was done by them in slightly abbreviated form on the air.

After introductory patter, the VARIETY idea gives the troupe jumping-off place for skits on opera, ASCAP-BMI, a 1922 musical, sister harmony trios and radio shows. All are done by the three boys and two smart-looking femmes in a talk-song style to the piano accompaniment of Eddie Hayward. Material is all original with the gang, written in collaboration.

Introduction is an effort to explain such elemental (to a mugg) VARIETY abacadabra as 'Buff on Cuff' and 'Pop Op Flop.' Best of the numbers that follow is probably 'The Banshee Sisters,' in which the two gals show how a femme trio suffers when 'Sister Susy,' who carries the melody, goes off and gets married. Take-off on DuPont's 'Cavalcade of America'—depicting the hardships gone through by the inventor of the shoehorn before he convinced the world it was practical—was another pip. So's 'A Night in Philadelphia,' musical of the days back in the '20s when the only thing that mattered was gals, gals, gals. Stuff is all smartly sophisticated and it's amazing that the quintet hasn't been pinched from its cellar by one of the swank east side spots.

Rest of entertainment at the Vanguard is the able pianoing in the lulls by the colored Hayward and the super-jive of Zutty Singleton's three-man band, also Negro. *Herb.*

EMBASSY, PHILLY

Philadelphia, Feb. 7.

Ethel Barrymore Colt, Carol Rhodes, Los Cucarachos, Dorothy Volkoff, George Clifford, Carl Weiler Orch (6), *Carlos Reyes Rhumba Trio; No Cover or Minimum.*

Ethel Barrymore Colt is making what she calls her farewell nitery appearance at the Club Embassy during the next two weeks. From now on, she says, she will concentrate on opera. (Miss Colt made her operatic debut last week in Baltimore). The daughter of Ethel Barrymore shows the results of her operatic training in her turn at this intimate spot.

Disdaining the mike, she gives out with pop tunes of the semi-classical type, showing a full soprano, and scores heavily with a medley of Continental songs, winding up with 'Last Time I Saw Paris,' which she puts over with lots of expression. Gal has learned a lot about song-selling since her appearance here a year ago at the now defunct Delmonico Club.

Another standout is the chirping turn of blonde Carol Rhodes. A looker with classy pipes, she's forte on sophisticated vocalizing. Best number is 'Give It Back to the Indians.' Miss Rhodes' strong points are nimble orbs.

Dorothy Volkoff, svelt brunet, terps, her routines ranging from ballet to low-down hip-weaving. George Clifford, perennial Embassy emcee, stages a bang-up finale called 'Phooey, Miami,' in which the Florida play-spot is panned as being American's 'leper colony.' Los Cucarachos represent frozen life guards; the gals are dolled up in bathing suits and fur coats and a couple of trick penguins round out the stunt. Clifford has also whipped up some lyrics which would make the Miami Chamber of Commerce burn.

Curt Weiler's band accompanies the show and dancing while Carlos Reyes' Pan-American trio play the lull spots.

House jammed at this supper show. *Shal.*

Minnesota Terrace, Mpls.

(HOTEL NICOLLET)

Minneapolis, Feb. 7.

Gus Arnheim Orch (14), *Katherine Joyce, Andy Russell, 'Mac' Stone, Marshall and Shields, Theodore and Deneeha, Virginia Sanford, Arthur Murray Dancers* (2); $1 and $2 *minimums.*

Suave Gus Arnheim and his streamlined music fit into this swank spot like peas in a pod. Dispensing smooth sweetswing, the orchestra fills the bill expertly for the dance crowd which frequents here bent principally on loosening up the pedal extremeties. It's strictly a dance orchestra, going lightly on the specialty and novelty end, and in an environment that radiates class and

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The THEATRE of the STARS
Marcus Loew
BOOKING AGENCY
GENERAL EXECUTIVE OFFICES
LOEW BLDG. ANNEX
160 WEST 46TH ST. NEW YORK
Bryant 9-7800
J. H. LUBIN
GENERAL MANAGER
SIDNEY H. PIERMONT
BOOKING MANAGER

STATE, NEW YORK, THIS WEEK (FEB. 13)
WALTER "DARE" WAHL
"It's Fun to Be Fooled"
Assisted by JOHN TRAMA

Variety Bills

THIS WEEK (Feb. 14)
NEXT WEEK (Feb. 21)

Numerals in connection with bills below indicate opening day of show, whether full or split week.

Loew

NEW YORK CITY
State (20)
Lou Holtz
Wendy Barry
Arline Judge
Lola Lane
Diano Del Rio

Ruth Day
Jack Sidney
WASHINGTON
Capitol (21)
Henry Busse Orc
Eunice Healey
Ginger Harmo
Rose Wyse Jr

Paramount

NEW YORK CITY
Paramount (19)
Ella Fitzgerald Orc
Bob Howard
Chuck & Chuckles
Peg Bates
CHICAGO
Chicago (21)
Jane Froman
Matty Malneck Orc
Dean Murphy
Bernard Co
State Lake (21)
Int'l Casino Rev

MIAMI
Olympia (20-23)
Hildegarde
Donald Novis
Gaudsmith Bros
Pritchard & Lord
Jansleys
Masters & Rollins
MINNEAPOLIS
Orpheum (21)
Clyde McCoy Orc
Hudson Wonders
Gil Lamb
Ray & Trent

RKO

BOSTON
Keith (20)
Ben Bernie Orc
Dale Winthrop
Cass Daly
CINCINNATI
Shubert (21)
Allen & Kent
Jack Fulton
Fred Sanborne
Blackstone
(14)
Folies Bergere
CLEVELAND
Palace (21)
Glenn Miller Orc
(14)
Joe Venuti Orc
Andrews Sis
Ruthie Barnes
West & Page
Rufe Davis

COLUMBUS
Palace (21)
Folies Bergere
DAYTON
Colonial (21)
4 Co-Eds
Lya Lys
Frank Paris
Lorraine & Rognan
Nick Lucas
Lew Parker Co
(14)
5 Canestrellys
Allen & Kent
Ginger Manners
Fred Sanborne
ROCHESTER
Temple (14)
Streets of Paris
SYRACUSE
Strand (21)
Streets of Paris

Warner

NEW YORK CITY
Strand (21)
Raymond Scott Orc
Paul Remos Co
Daval, Merle & Lee
(14)
Ray Noble Orc
George Tapa
Yvette
J & J McKenna
Lee, Lynn & Lou
PHILADELPHIA
Earle (21)
Ray Noble Orc
George Tapa
J & J McKenna
Kitty Carlisle
(14)
John 'Scat' Davis O
3 Diamond Bros
Sue Ryan
Johnny Downs

PITTSBURGH
Stanley (21)
Cab Calloway Orc
Cotton Club Boys
Avis Andrews
Cook & Brown
Anise & Aland
READING
Astor (21-22)
Herbie Kaye Orc
WASHINGTON
Earle (21)
Minnevitch Co
Hoo Shee
Naitto Tr
Gae Foster Gls
(14)
Calgary Bros
3 Pitchmen
Gae Foster Gls
Loper & Barratt

Independent

NEW YORK CITY
Music Hall (20)
June Forrest
Robert Shanley
Marie Grimaldi
Nicholas Daks
Arnaut Bros
Roxy (21)
Joe Howard
3 Swifts
Capella & Beatrice
Paul Ash Orc
Apollo (21)
Harlem Way U
Slim & Sam
Conway & Parks
Billy Holiday
Academy of Music
(21 only)
Nelson & Marsh
Beatrice Howell
Gene Marvey
Demnati Tr
Park Plaza (19-20)
Nelson & Marsh
Beatrice Howell
Gene Marvey
Demnati Tr
Riviera (22-23)
Nelson & Marsh
Beatrice Howell
Gene Marvey
Demnati Tr
Windsor (20)
Bobby Byrne Orc
Senator Murphy
Larry Adler
Grace Drysdale
Beverly Roberts
BALTIMORE
Hippodrome (20)
6 Honeys
Wesson Bros
Gene Sheldon
Lynn, Royce & V
Royal (23-27)
Charlie Barnet Orc
State (23-26)
Lewis & Lorraine
Stritt & Kay
Versatile Singers
BROOKLYN
Flatbush (20)
Funzafire U
Benny Meroff Orc
CAMDEN
Towers (21-23)
Tan Americana U

ELIZABETH
Liberty (20-23)
Jack Holst Co
Kirk & Lawrence
Virginia Austin
A & M Havel
5 Cabin Kids
FALL RIVER
Empire (18-20)
Major Bowes U
FREEPORT
Freeport (20-22)
Rancheros
Reed & English
Harry Stockwell
(Two to fill)
HARRISBURG
State (24-26)
Singer's Midgets
HARTFORD
State (23-25)
Tommy Dorsey Orc
(21-22)
Fredysons
Rae & Davis
Yvelte
Bill Robinson
NEWARK
Adams (21-23)
John 'Scat' Davis O
Steve Evans
3 Danc Debs
John Boles
Johnny Downs
PATERSON
Majestic (25-27)
Foley & White
Herbert Dexter
Casanova Dano
(Two to fill)
(21-24)
4 Fantinos
F & A Carroll
Elmer Cleve Co
Globe Trotters
PHILADELPHIA
Fay's (20)
May, June & Penny
Jack McCoy
Gregory & Raymond
Radianna
Levan & Bolles
Wayneta Bates
16 Lonergan Gls
Carmen (21-24)
Max & Gang
Carr Bros
(Three to fill)
(18-20)
Wilfred Dubois

Ferdinand
Sons of Purple Sage
Stone & Lee
6 Marvelettes
PITMAN, N. J.
Broadway (22)
Lewis & Lorraine
Stritt & Kay
Harry Reso
Versatile Singers
PROVIDENCE
Metropolitan (21-23)
A B Marcus U

WASHINGTON
Howard (21)
Earl Hines Orc
Sister Tharpe
Moke & Poke
Jerry Taps
WORCESTER
Plymouth (17-19)
Sammy Kaye Orc
Nonchalants
Chris Cross
Statler 2

Cabaret Bills

NEW YORK CITY

Armando's
Geo Morris Orc
Pedrito Orc
Maria Spaulding
Beachcomber
Michael Loring Orc
Sacasas Orc
Elsa Valladares
Carmen Amaya
Bill Bertolotti's
Don Silvio Orc
Angelo Orc
Barbara La Marr
Lynn & Marianne
Elvira Carlos
Christine Curtis
Frederica
May Lewis
Bill's Gay 90's
Charles Strickland
Lulu Bates
Fred Bishop
Spike Harrison
Harold Willard
Harry Donnelly
Bernie Grauer
Cafe Bruno
Chick Raines Orc
Gynia Gray
Anne Forrest
Threesome
Cafe Continental
Yascha Datsko
Nordstrom Sis
Alex Makofka
Patricia Wing
Hado Hurd
Irene Stanley
Cafe Pierre
Gerry Morton Orc
Della Lind
Cafe Society (Midtown)
Teddy Wilson Orc
Eddie South Orc
Hazel Scott
Ammons & Johnson
Kenneth Spencer
Cafe Society (Village)
Henry Allen Orc
Meade Lux Lewis
Art Tatum
Willie Bryant
Sammy Pierson
Mae Digges
Chateau Moderne
Maurice Shaw Orc
Gabriel
Bill Taylor
Dorothy Tanner
Rolin Smith
Carol Boyd
Ted Lane
Al Lentz
Tommy Baron
Club 18
G Andrews Orc
Peter Brent Orc
Hazel McNulty
Jack White
Maxine Loomis
Lilyan Dell
Pat Harrington
Frankie Hyers
Jerry Blanchard
Terry Lasky
Janet Lind
Club Gaucho
Don Miguel Orc
Currito & Coral
Marita
Fontana
Club Waikiki
Harold Aloma Orc
Lotus Ahn
Copacabana
Nat Brandwynne Or
Juanita Juarez
Frank Marti Orc
Fernando Alvarez
Patti Pickens
Mario & Floria
Samba Sirens
Cuban Casino
Consuelo Moreno
Don Casanova
Dimas & Belen
Effi Dorre
Diamond Horseshoe
Noble Sissle Orc
Blanche Ring
Gilda Gray
Eddie Leonard
Julian Eltinge
Harland Dixon
Prof Lamberti
Wini Shaw
Morton Spurr
Dave Mallen
Herman Hyde
Sally Burrell
El Chico
Don Alberto Orc
Martinez & Antonita
Lolita Gomez
Pepe Hurtado
La Gitanilla
Maria Lopez
Los Aztecas
Famous Door
Joe Marsala Orc
Adele Girard
Bee Kalmus
Frances Carroll
Marion Eddy
Dorothy Ross
Gay White Way
Shep Fields Orc
Joan Edwards
Harris & Shore

Bob Shea
Carol King
Geraldine & Joe
Gloria Blake
Marion Miller
Jorge Negrete

Hotel Savoy-Plaza
Bob Grant Orc
John Buckmaster
Hotel Shelton
Johnny Johnson Or
Hotel St. George (Brooklyn)
Dave Martin Orc
Dee Williams
Yank Porter
Hotel St. Moritz
Eddie Varzos Orc
Beauvel & Tova
Don Hooton
Lolo & Bobby
Hotel St. Regis
Hal Saunders Orc
Gus Martel Orc
Dorothy Lewis
Heasley Twins
Hazel Franklin
Hotel Taft
Frankie Masters Or
Hotel Waldorf-Astoria
Empire Room
Leighton Noble Orc
Mischa Borr Orc
Adelaide Moffett
John Wray
Hurricane
Eddie Bush Orc
Juan Costa Orc
Romo Vincent
Patricia Norman
Enrico & Novello
Winnie Hoveler Gls
Iceland Restaurant
Ted Eddy Orc
Manuel Ovando Orc
Paul Duke
Lamazar & Garvan
Iolene O'Niall

Nilda
Clymas
Byrnes & Swanson
Mon Paris
Heywood Powers Or
Dick Wilson Orc
Eleanor French
Monte Carlo
Ted Straeter Orc
Ethel Waters
Old Roumanian
Joe La Porte Orc
Ethel Bennett
Sadie Banks
Jenia Pobedinia
Buddy Walker
Chiquita Venezia
Eli Spivack
Place Elegante
Ernest Franz Orc
Bernice Manning
Bill Farrell
Joe Ravazo
Vincent de Costa
Art Tubertini
Tino Donelli
Rainbow Grill
Barry Winton Orc
Gloria Hope
Julian & Marjori
Jean Murray
Rainbow Room
Ben Cutler Orc
Keith Clark
Cappella & Beatrice
Rolly Rolls
Ruban Bleu
Hope Emerson
Palomo
Vera Sanoff
Herman Chittison
Delta Boys
Russian Kretchma
Nicolas Matthey Or
Peter Nemiroff Orc

Lew Hoffman
Hadley Gls
Blackhawk
Ted Fio Rito Orc
Earle Leslie
Grandfat'r's Follies
Blackstone Hotel (Balinese Rm.)
Jay Cole Orc
Brevoort Hotel (Crystal Room)
Mae King
3 Nibilos
Bob Billings
Broadmont
Karl Wayne
Marie Young
Shirley Lucky
Connie Oster
Pat Snyder
Doris Clayton
Herb Rudolphs Orc
Chez Paree
Lou Breese Orc
Jane Frohman
Rufe Davis
Four Franks
Juvelys
Evans Gls
Club Alabam
Charlotte Van Dae
Marion Moore
Harriet Norris
Allen Coe
Bernie Adler
Betty Hill
Inez Gamble
Effie Burton
Paullette La Pierre
Dave Unell Orc
Dorothy Dale
Eddie Roth Orc
Club Minuet
Helene Carol

Marie Lawler
Nord Richardson
Hi Hat
Willia Shore
Jerry Bergen
Doris Robbins
Ginette Calla
Younger Gls
Eddie Fens Orc
Ivanhoe
Florence Schubert
Jerry Shelton Orc
4 Bards
Helen Sumner
L'Aiglon
Emil DeSalvi Orc
Dorothy Johnson
Arsene Siegel
Isobel de Marco
Hotel La Salle (Blue Front Room)
Kings Jesters
Ruth Milam
Liberty Inn
Karen Stephany
Marion Crawford
Jane La Vonne
Danites
Jimmy O'Neill
Sunny Lovett
Earl Wiley Orc
Morrison Hotel (Boston Oyster House)
Manfred Gottbelf
New Yorker
Dolly Kay
Roy Sedley
Claire & Hudson
D'Arbour & Rene
Patsy Reed
Howler Gls
Arne Barnett Orc
Al Milton Orc
Old Heidelberg
Irma Cooper
Sally Sharratt
Heidelberg Octette
Heidelberg Ens
Joly Franzl Orc
Franzel Orc
Palmer House (Empire Room)
Eddie Duchin Orc
Eddy Howard
Bob Evans
Maurice & Cordoba
Perez Four
Abbott Dancers
Phil Dooley Orc
Sherman Hotel (Celtic Cafe)
Gene Korwin Orc
Jaros Sis
(Panther Room)
Gene Krupa Orc
Bob Zurke
Irene Daye
Chuck & Chuckles
Callahan Sis
Byton Gls
Carl Marx
Silver Cloud
Ray Martell
Peggy Parker
Shirlie Sharr
Val Mar Bros
Lenore Chicagoans
Joe Garken
Ralph Lynden Orc
Elinor Daniels
Hazel Zaius
606 Club
Billy Carr
Margret Faber Gls
Boots Burns
Irene Kaye
Jerri Vance
Jackson & Nedra
Betty Shayne
Carrie Finnell
Barbara McDonald
Renee Andrie
Maxine Da Shon
Virginia Jones
Millie Wayne
Cecil Von Dell
Margo
Jo Ann Carroll
Sol Lake Orc
Tripoli 3
Todd's Theatre-Cafe
Gypsy Rose Lee
W West & McGinty
Rola Rola
A Robins
Todd Gls
Jack Denny Orc

Jeannie Van
Audrey Joyce
Lido Venice
Hal Cummings
Novelettes
Edith Brown
Lillian Fitzgerald
Cata & the Fiddle
Dan Versee Orc
Little Rathskeller
Baby Rose Marie
Renee Villon
De Lloyd McKay
Jan Murray
Victor Hugo
Manoa
Jack Hitchinson
Edythe Sallade
Mario & De Vall
Jeanie Dale
4 Starlettes
Nancy Newell
Joan Deegan
Jean Carley
Shirley Joy
Frank Cunso Orc
Mayo's
Yvonne Kerr
Lola
Cy White
Gloria Dale
Gus Johnson
Minstrel Tavern
4 Tones
Ed McGoldrick
Ed McGoldrick, Jr
Park Casino
Miss Cummings
Eddie Shepherd
H Cummings Orc
Lynda
Open Door Cafe
Billy Bailey
Paul Kane
Allen Wood
Billy Hughes
Joyettes
Madeline Sheridan
Rita Roberti
4 Octaves
Palumbo's
Wade & Wade
Chic Mullery
Kathleen May
Tony Bradley
Cocktail Gls
Howard Reynolds O
Red Hill Inn (Pennsauken, N. J.)
Slappy Swingsters
Don & Dorese
Frank Ponti
3 Peppers
Lou Boyle
Vivi Austin
Niles & Joanne
Neff Bros & Fischer
Florence Morton
Marie Latell
Des Rogers
Diana Collier
Sid Raymond
Dolores
Da Lamars
Little Van Osborne
69th St. Rathskeller
Massa Bobby Lee O
Dorothy Johnson

Mary Frances
Robert & Evon
Eleanor
Karil
4 Black Spots
Pete Hayes
School House Inn
Buck Calhoun
Jean O'Neil
Kay Trotter
Kippi Velez Dano
Lon Ferieno
Ruth Melle
3 Jays Orc
Andy Russell
Silver Lake Inn
Edward & Argela
Colonel Reed
Alice Lucey
Frank Hessel Orc
Rendezvous (Hotel Senator)
4 Blues
2 Men and a Girl
Lee Candell
Tony Lane Trio
Hugo Klahre
Stamp's
George Marchetti O
Ann Howard
Stamp's Trio
Helen Jerico
3 Glamour Gls
Chiquita
Dottie Winters
Helen Barrie
Swan Club
Jack & Judy
Penn Raymond
Judy Manning
Ralph Brown
McNallie Sis
Margy Drummond
Rulson
Morgan & Berl
Henry Patrick's Ore
Freddy Bernard
20th Century
Michael Pedicine
3 Loose Nuts
4 Man of Rhythm
Warwick Hotel
Ray Morton Orc
Weber's Hof Brau
Camden
Jules Fiacco Orc
Curran Bligh
6 Grays
Jack Herbert & B
Signor Carmino
Pat Sullivan
Thea Silton
Dave Peterson
Syd Golden
Rathe'r Eldoradians
Wilson's
Art Mathues
Lou Karnes
Everett & Conway
Grey & Arden
Sinclair & Leroy
Joe Hough
Geo Baquet Orc
Yacht Club
Scarey Gavin
Joan Olcott
Paulette Powers
Francis Carroll
Mary Navis

BOOKING THE NATION'S LEADING INDEPENDENT VAUDEVILLE THEATRES
EDWARD SHERMAN
1619 BROADWAY NEW YORK COL. 5-0930

Juanita Rios
Mimi Kellerman
Coley Worth
Marcia Ray
Ann Pennington
Betty Jane Smith
Gr'nwi'h Village Inn
Anthony Trini Orc
Aileen Cook
Denise
Eleanor Knight
Bernice Manning
Dorita
Grace Patterson
Frank McCormick
Havana-Madrid
Froilan Maya Orc
Juanito Sanabria Or
Arturo Cortez
Pepita & Lucia
Carlos Valades
Manor & Mignon
Rosita Ortega
Hickory House
Lou Holden Orc
Hotel Algonquin
Bela Bizony
Renato
Linda Lee
Baldwin Bergerson
Oscar Andree
Doodles Weaver
Hotel Astor
Dick Kuhn Orc
Sande Williams Orc
Hotel Belmont Plaza
Arthur Ravel Orc
Joe Pafumy Orc
Mishel Gorner Orc
Gwen Gary
Lucille Johnson
Moro & Chita
Belmont Balladeers
Hotel Biltmore
Orrin Tucker Orc
Bonnie Baker
Hotel Bossert (Brooklyn)
Eddie Lane Orc
Hotel Brevoort
Paula Lawrence
Sam Ray
Julius Monk
Eddie Mayehoff
Norbert Faconi
Elsie Houston
Hotel Edison
Mal Hallett Orc
Madeline Gray
Hotel Essex House
Joe Reichman Orc
Gloria Martin
Hotel Lexington
Lani McIntire Orc
Aggie Auld
Napua
Momi Kai
Maleo Shaw
Hotel Lincoln
Tony Pastor Orc
Lincolnaires
Hotel McAlpin
Isham Jones Orc
Shirley Lloyd
Hotel New Yorker
Woody Herman Orc
Muriel Lane
Ice Ballet
Erna Andersen
Adele Inge
Ronnie Roberts
Jerry Farley
Mark Plant
Bob & B Wade
Hotel Park Central (Cocoanut Grove)
Buddy Clarke Orc
Jack Waldron
Barry, Prince & C
Pastine & Fanchon
3 Nightingales
'Scat' Powell
Elenore Wood
Robert Roberts
Toni Traube
Hotel Pennsylvania
Jimmy Dorsey Orc
Helen O'Connell
Bob Eberle
Hotel Plaza
Dick Gasparre Orc
Chiquito Orc
Raye & Naldi
Jane Winton
Hotel Roosevelt
Guy Lombardo Orc

Bobby Ahearn
Phil Seed
La Conga
Jack Harris Orc
Noro Morales Orc
Adele Norella
Dacita
Town & Knott
Conchita & Worth
Teresita & Serrano
La Martinique
Roy Fox Orc
Kay Kimber
Herbert Curbello Or
Danny Kaye
Mati & Hari
Larue
Eddie Davis Orc
Joseph Smith Orc
Le Coq Rouge
Harold Nagel Orc
Oscar Day Orc
Alicia Henderson
Leon & Eddie's
Lou Martin Orc
Eddie Davis
Teddy Rodriguez
Virginia Valley
Dora Maughan
Patricia Joyce
Jackie Miles
H'wood Canines

Olga Ivanova
Nastia Poliakova
Marusia Sava
Adia Kuznetzoff
Senia Karavaeff
Michel Michon
Mishi Uzdanoff
Arjelak Arafelova
Sawdust Trail
Julia Gerity
Sunny Sharon
Virginia Vallon
Stork Club
Sonny Kendis Orc
Versailles
Nicholas D'Amico O
Panchito Orc
Dorla
Lois January
De Angelo & Porter
John Scarna
Village Barn
Peter Kara Orc
June Bentley
Pappy Below
Sons of Purple Saga
Laura Kellogg
Stuart & Lea
Zeb Carver Co
Whirling Top
3 Tops
Ginger Wayne

Rita Ray
Alvira Morton
Ethel Brown
Fillmora Sherman
Art Fischers Orc
Dal Estes
Colony Club
Sacasas Orc
Monchita Orc
Colosimos
Eddia White
Llyon Warjo
Hazel Manjean Gls
Janice Davanport
Jack Prince
F Quartell Orc
Club Delisa
Billy Mitchell
Cyclone Morgan
Billie Eckstein
Da Alexander
Chippia Hill
6 Jitterbugs
Rhythm Willie
Charles Isom
Partello Gls
Red Saunders Orc
Congress Hotel (Glass Hat Rm)
Johnny Banga Orc
(Peacock Rm)
Joe Vera
Edgewater Beach Hotel (Beach Walk)
Richard Himber Orc
Dor Dorben Gls
Herb Foota
Franke's Casino
Harriet Ehrlick
Rocky Ellsworth
Billie Webb
Ann Anderson
Dick Conrad
Bob Tinsley Orc
Graemere Hotel (Glass House Rm)
Lew Story Orc

LOS ANGELES

Biltmore Bowl
Jimmy Castle
Dorothy Brandon
Maxellos
Burton Twins
Everett West
3 Dee's
Chester Dolphin
Chuck Foster Orc
Cafe La Maze
Adele Rowland
Jimmy O'Brien
Dyana Gayle
Sophist'd Envoys O
Casa Manana
Ivy Anderson
Mitchell Sis
Herbie Jefferies
Duke Ellington Orc
Cocoanut Grove
Billy Rayes
Bud Hughes & Pals
Freddie Martin Orc
Earl Carroll
Jimmy Durante
Buster Shaver
Olive & George
6 Debonairs
Beryl Wallace
Mary Peterbeck
Helen O'Hara
Barbara O'Drew
Reyes' Rhumba Bd
St. Clair & Day
Ithumba Orc
Slate Bros
Bill Brady
Manny Strand Orc
Florentine Garden
NTG 7th Edition
Fred Scott
Marion Wilkins
Sugar Geise
Rio Bros
Charlie Foy's Club
Charlie Foy
Leonard Sues
Bob Evans
George Beetz
Wilma Novak
Art Bernard Orc
Grace Hayes Lodge
Newell Chase
Harry & P Carroll
Mary Healy
Neville Fleeson
Princess Michi
Peter Lind Hayes O
Grace Hayes
Rebecca Hayes
House of Murphy
Naomi Wheat
Beth Reynolds
Frankie Gallagher
Gordon Bishop
Elmore White
Bob Murphy

'It' Cafe
Dorothy Dandridge
Dave Forrester Orc
La Conga
Paul Neighbors Orc
Leon Frank
Peppy & Peanuts
Stellita
Phillip Lopez Orc
Macambo Cafe
Dinorah Rego
Humbertos Bd
Phil Ohman's Orc
Palladium
Glenn Gray Orc
Paris Inn
Kenny Henryson
Dominic
Marg'rite & M'rtinez
Henry Monet
Helen Golden
Davey Jamison
Dorothy Heller
Helen Harrison
Malette
Helen Miller
Chuck Henry Orc
Pirates Den
Peglag Happenay
Susan Miller
Wally Boag
Lovey Lane
Henry Grant
Gaby La Fitte
Black Andy
Tom Garay
Nick Cochran Orc
Scheherazade Cafe
Yascha Borowski
Gavrila
Zandra
Mara Manet
Russian Gypsy Orc
Seven Seas
Lilia Kipikona
Puanani Mathews
Jana Avelar
Johnie Bright Orc
Somerset House
Harry Ringland
Elliott Carpenter
Lorraine Elliot
Lou Saliee Orc
Swanne Inn
4 Dreamers
Eddie Beal
Topsy's
The Topsyettes
Beverly & Revel
Paul Locke
Russ Brown
Marvin Dale
Wilshire Bowl
Taras & Masters
Phil Harris Orc

CHICAGO

Ambassador Hotel (Pump Room)
Larry Adler
Virginia Hays
Jerry Shelton Orc

Bismarck Hotel (Walnut Room)
Art Kassel Orc
Marion Holmes
Collette & Barry

Geo Clifford
Los Cucarachas

PHILADELPHIA

Club Ball
Alan Fielding Orc
Ball-lovelies
Rita Marquita
Val Irving
Gerardo
Alan Gale
Andrea
Marcya & Gunsett
Caryl Gould
Alfonse Garcia
Juanita
Ben Franklin
Clyde Lucas Orc
Lyn Lucas
Jill Bard
Flying Top Hatters
Benny, the Bum's
Morty Landis Orc
Billy Maples
Fats Atkinson
Anita Chandler
Carroll's
Charlie Gaines Orc
14 Carrollovlies
Mallory Sis
Joan Rydell
Lou Phillips
Miss Gordon
Jean Dean
Wilbur Rance
Jackie Mabely
Eadie Lang
Club 15
3 Musical Strings
Harriet Hall
Bernice Foley
Dolores Laurell
Amy Organ
Barbara Stone
Cusano's
Lou Feriano
Kay Trotter
Jack Mason
Jean Bernhardt
Jimmy Fitzgerald
Harry Smith
Ralph Sanner's Orc
Cadillac Tavern
Darlene Jones
Alan Sterling
Lloyd Mann
Lon & Evelyn
Ruth Warren
Cadillac Coquettes
Harry Dobbs Orc
Embassy

Mata Monteria
Ethel Barry're Colt
Carol Rhodes
Dorothy Volkoff
Carlos Reyes Orc
Curt Weller Orc
Evergreen Casino
Alice St John
Nitza & Ravel
Tenny Newbold
Warren Phillips
Doris Elliott
Pat Shevlin Orc
Gay 90's Cafe
Cecil Williams
Little Van Osborne
May Joy
Ann Fisher
Naka & Saka
Chick Williams Orc
(H Walton Roof)
Vincent Rizzo Orc
Leona Starr
Miss Trixie
Maxine Loomis
Betty Jane Cooper
Cynda Glenn
Felicia
Glamour Gls
Helen Heath
Bob Russell
Nino Nani
Vera Niva
Louis Morrison
Carlos Campos
Michael Sandina
Peppino & Carmen
Neil Fontaine Orc
Augusto Sanabia Or
Hotel Philadelphia (Philadelphia Rm)
Carlotta Dale
Fredrico & Dankin
Dick Wharton Orc
Jam Session
Mickey Houss
Micky Rogers
Dynamite Hooker
Billy Kretchmer
Teddy Walters
Hopkins Rathskeller
Irving Braslow's Or
Joe Campo
Watson Sis
Hopkins Glamour G
Lillian Chaplin
Vera McGovern
Agnes Barry
Sunny Rae

CLEVELAND

Alpine Village
Jean Faden
Novak Sis
Bob Copfar
Carl Mueller
Otto Thurn Orc
El Dumpo
Bob Mannera Orc
Rita LaGrosse
Stan Gilbert
Don Payne
Sammy Lipman
Antoinettes
Gourmet Club
E Robinson Orc
Gayle Gaylord
Freddy Holkel
Hotel Allerton
Johnny Cowgill
Hotel Carter
Thixton Sprenger
Ambassadora Orc
Hotel Cleveland
Everett Hoagland O
Margaret English
Hotel Fenway Hall
Caballeros Orc
Aurora Garcia
Hotel Sterling
Jimmy Van Osdell

Quinteros
Lester Chafetz
Hotel Hollenden
Crawford & Caskey
Walton & O'Rourke
Joey Nash
Sloan & Gary
Sorelli
Sammy Watkins Or
Hotel Statler
Jose Morand Orc
Rosalean & Seville
Virginia Ramoa
Jack & Eddie's
Rubertino, Roberts
Babe Sherman
Arlene Rica Orc
La Conga Club
Ramon Arias Orc
Lindsay's Bar
Rose Murphy
Una Mae Carlisle
Pearl DeLucca
Regal Club
Ducky Malvin Orc
Thirty-Seven Club
Pat Dennis
Cunningham Sis
Jean Delters
3 Debs

DETROIT

Book-Cadillac Hotel (Book Casino)
Fernandez & Tera'a
Bob Neller
Imogene
Morris King
Eddie Le Baron Or
(Motor Bar)
Jay Coe
Bowery
DeSimone Conga Da
Billy Wells
4 Fays
Dave Tannen
Pat Paradise
Jitterbugs
Mildred Rock
Harvey Stone
Don Arden Dane
Johnny King
Chas Carlisle
Benny Resh Orc
Casanova
Cari & Lenina
Prosper & Welf
Tom Speck
Madelon Baker
Glamor Gls
Lee Walter
Corktown Tavern
Hal Bronson
Ellen Kaye
3 Vesters
Eddie Bratton Orc
Cole & Corte
Neville & Day
Ann Lee
Don Andre Orc
Hund's
3 Old Timers
Josy Raye Trio
London Chop House
Tonia Valenti
Ruby Orc
Morocco
Carol Roth
6 Sparklettes
Mel Snyder
Will Henderson Orc
Nebiolo's
Di Giovanni
Carmen

Carlos & Chita
Guy Gibby
Leonard Seel Orc
Northwood Inn
Duanos
Jerry Lawton
June Carmen
Diane & DeLys
Ray Carlin Orc
Olde Wayne Club
Charles Costello Orc
McColl Sis
Palm Beach
Bill Mahoney
Bob Stanley Co
Hudson & Sharae
Monnie Drake
Don Pablo Orc
Huck's Redford Inn
Mae McGraw Orc
Club Royale
Jack Marshall
Alice Dawn
Shayne & Armstr'ng
H'wood Co-Eds
Louise Martell
Bernard Dano
Roy Tracy
Michael Paige Orc
Saks Show Bar
Bryant, Rains & Y
Tanya Tamara
Jay Jason
Pearl Mayley Gls
Pete Viera Orc
Statler Hotel
Desi Arnaz
Fausto Curbelo Orc
Gloria Hart
Orlando
Grayce & Graham
San Diego
George Presnell
Al Alexander Orc
Dan Merryman
Don Francisco
Starr & Maxine
Verne's
Bert Nolan
Boyd Senter
Nick & Vicki

(Continued on page 55)

MUSIC HALL, N. Y.

'On the Banks of the Seine,' produced by Leon Leonidoff, with Corps de Ballet (32), Les Juvelys (2), Henry Calvin, Choral Ensemble (36), Rockettes (36), Earl Lippy, House Symph directed by Erno Rapee; 'This Thing Called Love' (Col), reviewed in VARIETY *Dec. 25.*

Music Hall this week, for the third time in its seven-year history, holds over part of its show. As in the two cases previous, both more than five years ago, the extended stay was instituted as the result of numerous requests, according to an explanatory program note.

Numbers held over are a sentimental French bit, consisting of peasant songs followed by the 'Marseillaise' and a repeat of the routine which won the Rockettes a prize at the Paris Exposition of 1937. Ballet is new. Another switch has balancers Les Juvelys replacing dancer Paul Haakon.

Show follows the same general theme. Last week's was labeled 'The Last Time I Saw Paris' and the present one is 'On the Banks of the Seine.' Kern-Hammerstein tune, from which last week's presentation took its name, is repeated by Earl Lippy and the choral ensemble to finale the current extravaganza.

Show is divided into five parts on the Paris theme: 'At the Opera,' in which the ballet turns the tables on the famed French artist, Degas, and dances one of his paintings; 'At the Folies Bergere,' in which Les Juvelys do their acrobatics; 'On the Champs Elysees,' in which Henry Calvin and the chorus do the repetition of the peasant songs and the national anthem; 'The Rockettes in Paris' and the 'The Last Time I Saw Paris' finale.

Two numbers which are repeated are well worth that honor. Not only are they smasho in themselves, carrying a nostalgic timeliness, but they are excellently produced. Producer Leon Leonidoff and set-designer Bruno Maine have outdone themselves. In the 'Arc de Triomphe' sequence chorus is seen singing the 'Marseillaise,' swinging its arms in military fashion, with cloud effects projected on a scrim. Lights gradually come up from behind to reveal that the men are marching under the Arc, while painted on drop behind them are hundreds of other troops to give the impression of a parade down the Champs Elysees.

'Rockettes in Paris' is likewise showmanly presented. It's preceded by a screen prolog explaining the gals' trip and the prizes they won. This is followed by newsreel shots of their leavetaking on the Ile de France, their arrival in Paris and finally pictures of them doing the routine which gave them the award. Curtains break away and lights go up to reveal in-the-flesh Rockettes doing the number on a replica of the locale in Paris. Routine is somewhat more complicated than usual at the Hall, but done with the accustomed skill.

Ballet number is performed against the background of a large replica of a Degas painting. It's excellently done, the 32 girls individually and en masse being moved about under the direction of Florence Rogge to maintain all the delicacy of a small, intimate group despite the large number of femmes and the tremendous size of the M. H. stage.

Juvelys, man and woman, are socko in thrill stuff. Finale has femme balancing on her head on four balls, piled one on top of the other on the head of the man.

Biz opening night (Thursday) just mediocre. *Herb.*

SHEA'S, BUFFALO

Buffalo, Feb. 14.

Cab Calloway's Orch (16), Mills Bros., Avis Andrews, Cook and Brown, Anise and Aland, Chu Berry, Cozy Cole, Cab Jivers, Six Cotton Club Boys; 'Road Show' (UA).

It's old home week at the Buffalo for the local jitteroos. Cab Calloway is back for his annual stopover with a full crew of hepcats and a choice assortment of sepian talent. The word's out and the 'gators are ganging up at the b.o.

The Calloway cacaphony continues plenty torrid, with heavy accents on the jungle rhythm, while the specialties are exceptional and include some of the fastest-moving legmania caught here in some time. All in all, for those who like it in bounce and bumps, it's a topdrawer show of its particular genre.

For the teeoff, the gang, abetted by the maestro's acrobatic direction, machineguns 'Minnie the Moocher,' 'Dark Eyes' and 'St. James Infirmary Blues' in bang-out succession. Anise and Aland are a neatly dressed boy and gal with a slick, kaleidoscopic acro-terping turn. The band's jump arrangement of 'Some of These Days' is solid with the jivers, as is Calloway's standard sending of 'Jumpin' Jive' later in the proceedings and 'Back Home in Indiana' finally.

The Six Cotton Club Boys are clicko tappers with a snappy, precise routine. Avis Andrews' vocals are distinctive, her clipped enunciation on 'Handful of Stars' and her melodious volume against the band's eerie 'Night and Day' setting her as an outstanding soprano. 'Paradiddle' gives Cozy Cole a swell spot for his skin beating, which he utilizes to top advantage. The Cab Jivers, Chu Berry in the van, grind out their familiar bounce contribution. Cook and Brown hang up a comedy dancing knockabout which is so fast, flashy and funny that it looks impossible to continue on this four-a-day basis.

Mills Bros. are on in the next-to-closing niche, their trademarked harmonizing of 'Strawberry Fair,' 'I Hear a Rhapsody,' 'Sweet Lucy Brown' and 'Tell Me Your Dream' drawing strong returns. The entire ensemble shows up in South American dress for a congarhumba finale.

Better than average crowd on tap for the opening (14). *Burton.*

COLONIAL, DAYTON

Dayton, Feb. 15.

'Songwriters on Parade' (Charles Tobias, Peter De Rose, J. Fred Coots, Jack Lawrence and Jean Schwartz); Fred Sanborn, Five Canestrellys, Allen and Kent, Ginger Manners; 'Hudson's Bay' (20th).

Refugees from the air lanes, five songwriters from Tin Pan Alley, with some of the biggest hits to their credit, provide a swell climax to a rather good vaude performance. Peter De Rose, J. Fred Coots, Jack Lawrence and Jean Schwartz stick to the ivories at grand pianos ranged across the back of the stage, while Charles Tobias, as a sort of emcee, aids occasionally in vocaling for some of the boys.

Act opens with Tobias singing 'That's a Popular Song' to supposedly inform the audience how to write a tune, then introduces the boys and next sings one of his melodies, 'Gee, But You're Swell.' Next the boys go into a medley of Victor Herbert. From then on, each composer in turn plays snatches of his best known numbers.

While apparently an ASCAP gesture, mention of the trouble which keeps these songs off the air is made in respectful and inoffensive manner.

Fred Sanborn repeats the hit he has always made previous appearances locally with his lively xylophone playing, most of it punctuated by his socko panto comedy.

The Five Canestrellys open the bill with their standard balancing turn, okay as usual. Allen and Kent do modern taps and then bring on Maude and Jim Kennedy, oldsters who illustrate steps of days gone by. The old folks prove considerably more effective than the youngsters.

Ginger Manners has a screwball session, singing snatches of various songs, drumming a bit on the piano, dancing here and there and finally finding herself in the footlight gutter. She acknowledges it's corny, but perhaps that's what a modern audience likes, judging from the encouragement she received. *Kany.*

TOWER, K. C.

Kansas City, Feb. 15.

The Claytons (2), The Olympia Boys (3), Brookins and Van, Lester Harding, Carolyn Gargotta, House Line, Herb Six House Orch.; 'Let's Make Music' (RKO).

The assemblage of acts at the Tower currently makes up the ingredients of a good variety bill, but show is put together on the regular revue formula followed here and titled 'Broadway Rhythm.' Each act more than does its part and the entertainment offered was attested to by encores at the Friday night (14) finale, which ran the show five over its allotted 38 swift minutes.

Leadoff is handed to the Olympia trio, with the bar apparatus filling center stage. Take turns at a routine of snappy turns, flips and handstands on the bars. In the deuce are Robert and Maxine Clayton in a round of tapping in which they do modern steps, a minuet in swing, Lambeth Walk and a snappy can-can. Couple have had a fling in celluloid and do creditable work. The housecoat costume in which the femme partner opens the act is shown to be greatly out of place when she doffs it mid-act to reveal a neat and attractive figure in a ballroom gown.

Stepping out of his m.c. role, Lester Harding baritones 'You Walked By' and draws applause to warrant his encore on 'Just One More Chance.' He gives way to the line in an accentuated arm-waving to Matty Malneck's 'Park Avenue Fantasy.' Rounding out the midshow section is Carolyn Gargotta, 11-year-old amateur winner. Youngster has more on the ball than the usual am, sings 'Down Argentine Way' creditably and shows even better tapping to 'Beguine.' She encored, too.

In the closing niche Brookins and Van are a creditable pair for any bill, the two giving out music, taps and chatter in the sepia manner. Brookins' high tenor on 'I Hear a Rhapsody' starts the act off well while he picks a rhythmic piano to his partner's equally rhythmic dancing to close the act. Midway they have a nonsensical chatter routine for laughs. Wind-up of the show is left to the line stepping off some modern taps as they carry huge valentines. *Quin.*

KEITH'S, BOSTON

Boston, Feb. 13.

Tommy Wonder and Betty, Frank Paris, The Kidoodlers (4), Herman Timberg with Judy Kelly, The Arnolds (3), Larry Flint House Orch; 'Dead Man's Shoes' (Mono) and 'Ridin' on a Rainbow' (Rep).

It's a sort of reunion week here with Herman Timberg coming onto the local boards for first time in years, and Tommy Wonder reunited with his sister Betty. Every act clicks like a million and extra bows and begoffs are the rule.

Timberg is virtually playing straight to Judy Kelly, a very talented and versatile comedienne. Results are every satisfactory, for when they fail to get socko response to a gag, they zip into the next one until they get a belly laugh. Timberg gives a sample of his eccentric hoofing and accompanies the singing of Miss Kelly with the hokum fiddling. She sings 'Stairway to Stars' and 'Rhumboogie,' and does a neat tap to Timberg's piano-playing. When he dances Miss Kelly handles the piano. They're a good duo, and Miss Kelly looks like a good prospect for big-time musical or revue work.

Tommy Wonder opens with Betty in a jitter idea, follows with a clean-cut slow strut and wows 'em with his fast ballroom dance with a life-sized doll. Wonder has made a careful study of the showmanly angles of this novelty and has apparently missed none. He easily grabbed off an encore, a slow waltzy routine with a suggestion of s.a. in the turn. Miss Wonder solos with a dizzy vocal of 'Minnie the Moocher,' done to accompaniment of screwy gestures. Gets a few laughs. Wonder looks better than ever and has plenty of class to go along with his ingratiating personality.

Frank Paris, deuce, gets across very well with his marionet act, using only the dolls and no special stage or set. Paris is right up to the minute, for one of his puppets is an ostrich, patterned after one of the Disney characters in 'Fantasia,' doing a ballet burlesque. Paris has by no means exhausted the possibilities of this awkward bird. A skater and a skeleton jitterbug both impress, and a truckin' collegian doll is also good. Paris had to make a thank-you speech when caught.

Kidoodlers are in the trey spot, clicking as they always have on previous singing appearances here. Quartet offers little new material this time, except their tricky version of 'Maybe,' but this rates below their standards of 'Chinatown,' 'Old MacDonald' and 'When Circus Comes to Town.' Boys are tops in timing and very aware of possibility of milking laughs and sight gags. There was a demand for more when they finished.

The Arnolds, one of the best acro acts ever caught here, closes the show, rather unusual for this type of turn to wind up a bill. Two men and a girl inject a bit of comedy into their act, which features exceptional risley balancing. Most of their stuff is in triplemount formation, and the almost impossible ways they scramble from the floor into a three-high human totem pole pose in a flash bring out the gasps and applause. *Fox.*

MINNESOTA, MPLS.

Minneapolis, Feb. 14.

Rollie Altmeyer, House Orch. (14), Dennet and Dayes (3), Ray Vaughn, Mardo and Kaye, Franklyn D'Amore and Co. (2), The Merry Macs (3); 'Drums of the Desert' (Mono).

This is a pleasing, well-staged presentation with the house orchestra working on the stage. It has the Merry Macs, home-town singing trio which has achieved radio and screen prominence, as its headliners. The fact that two of the other four acts are acrobatic turns and that there is a minimum of comedy may count against the show, but each number deserves plaudits regardless. There isn't any emcee and the acts are announced from offstage, none too effectively, a bad p.a. system probably being mainly at fault.

Rollie Altmeyer, the house organist, turns out some well-liked pop tunes. Dennet and the Dayes, two men and a woman, first of the stage offerings, perform thrilling pyramid balancing feats. Considerable novelty is incorporated into Ray Vaughn's xylophone and bottle playing. He dances while he xylophones, uses illuminated sticks for one number and produces the impression of tap dancing by beating the instrument with padded pieces of wood attached to his hands. From an array of empty whiskey flasks he pounds out 'Beer Barrel Polka' and it's good-sounding music. On empty water bottles he produces 'Man With the Mandolin' and had these customers singing for him. His pop numbers have been wisely chosen.

Mardo and Kaye, man and woman, combine fun and harmonica playing. The man gets plenty of laughs with a big bulldog that refuses to perform tricks and which is the butt of his jests. However, much of this material is in bad teste. He also does a neat bit of eccentric dancing and joins with his feminine partner in a fling at the harmonica for good results. Remembered from his previous appearances locally, Franklyn D'Amore still amazes by his enormous strength during the balancing of his feminine partner.

The three Merry Macs harmonize nicely and have some corking arrangements, but they need a better mike. The accompaniment of bells, which they have had on the air, also would help to embellish their act. However, they land well with 'You Made Me Love You,' 'I'm Forever Blowing Bubbles,' 'I Hear a Rhapsody' and 'Ragtime Cowboy Joe,' the audience responding enthusiastically to their efforts.

Huge lower floor about two-thirds filled at the last performance on opening day. *Rees.*

EARLE, WASH.

Washington, Feb. 15.

Loper and Barrett, The Three Pitchmen, Calgary Bros., Gae Foster Girls; 'Arizona' (Col).

With two-hour feature, house concentrated on a revue calculated to please 'em after they arrive rather than exert any particular lure. 'Valentines of 41,' the handle used in the ads, succeeds just as intended.

Clever plug for next film, 'Strawberry Blonde,' is put over in an old-fashioned overture, with tenor Gene Archer and Roxyette Eileen Ritter warbling sentimental ditties of yesteryear. Show proper gets under way with line trotting out in short white shirts and red velvet heart muffs for neat formation tap stuff. Gals fall back to form background for Loper and Barrett in standard, but smoothly effective, ballroom spins and lifts.

Following another line number, The Pitchmen, with their small piano and array of dope musical instruments, come on. Trio in tuxes and tramp hats go immediately into fast succession of rhythms, presumably upon the collapsible skeleton trombone, etc., but actually vocalized via small, tin mouth gadgets. Boys work in plenty of by-play, fast pantomime and incidental chatter and hold 'em throughout. They finish strong with imitations of top band themes.

Line appears, each gal holding big Valentine envelope, turning them around to spell out 'Calgary Brothers.' Tramp comics are old favorites here and their drunk pantomime, their slow-motion fight, the swinging punching-bag, etc., click as solidly as ever. Line finishes with its precision Highland Fling, tricked up in Valentinesque kilts and tapped out while Archer does an offstage vocal of 'Loch Lomond' in swingtime.

Biz good at show caught. *Craig.*

EARLE, PHILLY

Philadelphia, Feb. 15.

Johnnie ('Scat') Davis Orch with Julie Sherwin, Joe Martin, Nick Harper, Earl Randall, Sue Ryan, Johnny Downs, Diamond Bros. (3); 'Honeymoon for Three' (WB).

For those who like their entertainment louder and funner—mostly louder—Johnnie ('Scat') Davis' band is just the thing. Davis has lost none of the bounce that brought him to the fore some years back and his peculiar type of vocaling still has its appeal for the jitterbug trade, as evidenced by the crowds of the sweater set that packed the aud at this catching.

Taking the play away from the band, however, is blonde Sue Ryan with her comic chirping running the gamut from 'Little Red Fox' to opera. Best bit is her rendition of the ballad, 'You Made Me Love You' done in 1913 style and in 1941 rhythm. Another tune that clicks is her novelty encore, 'Bach to Back.'

Johnny Downs makes the same mistake he made when he appeared here about a year ago. He sings instead of sticking to his hoofing. The cinema player is okay when it comes to the hoof, but is definitely weak on the vocal chords. His songs are from his pictures, which he plugs to a fare-thee-well during his stay onstage. They're 'Minuet in G' and 'Day by Day.'

The Diamond Bros. are a slapstick, knockabout edition of the Ritzes. Fairly funny and well-liked by the pew-holders.

Davis, with his w.k. perpetual grin, puts plenty of zing into his emcee chore as well as his trumpet-tooting and scat-singing.

Julie Sherwin, attractive blonde in a revealing sweater and short skirt, tees off the proceedings with the vocals on 'Who.' Her second appearance is ill-chosen, however; it's an Hawaiian number with hip-weaving to match. She just isn't the type.

Earl Randall, handsome baritone, rates a couple of bows with his 'We Three.' Joe Martin netted a flock of palm-pounding for a BMI medley of 'Frenesi' and 'I Hear a Rhapsody,' encoring with 'Night and Day.'

Nick Harper, band violinist, makes the strings sing with a swing version of a selection from the opera 'Thais.'

House was nearly filled at this catching (Saturday afternoon). *Shal.*

STATE, N. Y.

Alf W. Loyal's Dogs, Hal LeRoy, Belle Baker, Walter Dare Wahl (2), Herbie Kay's Orch with Ellen Connor and Vera Kern, Ruby Zwerling's Pit Orch; 'Buck Privates' (U), reviewed in VARIETY, *Feb. 5.*

For four-fifths of the way, Loew's State's current stage layout is good vaudeville. The fifth act is Herbie Kay's band, on much too long and which has two singing specialties who conflict with Belle Baker, smash in the trey spot. It's Kay's first appearance in New York.

Considering the show is running way overboard at 82 minutes, Kay's band perhaps innocently suffers in front of an over-tired audience.

Miss Baker, who hasn't been at the State in some time, is as good as ever. At the last show opening night, after singing two or three specials, one of 'em too blue for family theatres, and a long medley of past hits, she still had difficulty in getting away from an audience that kept applauding for more.

Miss Baker is sandwiched between Hal LeRoy, click solo hoofer, and Walter Dare Wahl, whose acrobatic comedy with his dead-pan, wizened stooge scores the next-to-closing spot. LeRoy was held for four routines Thursday night (13), all of them his own originals, and is as socko a hoofer as he was some years back as a kid getting his first break at the then two-a-day Palace. He should polish his intros, however; especially learn to speak more slowly and understandably. Wahl's act is familiar and apparently always okay with audiences.

Vaude portion's opener is Alf W. Loyal and his dogs, also a veteran turn in the varieties. His pups and their varied tricks present a nice novelty.

Kay's band is fair musically and appears better suited for ballrooms than theatres. One of his two pianists steps to the mike with accordion and sings two numbers in a wavering tenor. Another vocalist is Ellen Connor, a cute trick and nice vocally. Kay also sings, but slightly, and Vera Fern does some fast acrobatics, but her dancing in between is awkward. Her followup acro conga is hardly striking.

The first-run 'Buck Privates,' starring Abbott and Costello, helped draw a good house at this catching. *Scho.*

HIPP BALTO

Baltimore, Feb. 15.

Fraday Dancers (6), Dorn Bros. and Mary (3), Ralph Edwards' 'Truth or Consequences' (3), Phil Lampkin house orch (12); 'Play Girl' (Col).

Plenty of laughs in this layout, thanks to the application of the old theory that everyone is an actor at heart and that cash prizes will cause many an otherwise conservative hombre to let his hair down. Ralph Edwards has a stage natural in his 'Truth or Consequences' radio program. Anticipated stymie in getting contestants went right out of the window on opening day with volunteers to be had by the handful. Time consumed in lining them up is also nicely handled by Edwards, who has a flip and breezy way of handling himself and his would-be stooges.

Edwards' stint is closing the doings here, which is as it should be. Up ahead is the Fraday Dancers, in the opening niche, and a nice starter. They're three mixed couples, opening with a well-routined ballroom tap, after which the three boys sell a modernistic mechanical-man routine helped by silhouetted effect on specially-lowered drop. Closing waltz is in keeping and an okay chaser to nice response. Started things extra well here.

In the deuce are Dorn Bros. and Mary, trio of vocalists who give out with smart arrangements of 'The Latin in Me' and 'Ferryboat Serenade.' Essay some imitations of radio notables and close with swing version of 'Nellie Grey.' Youngsters look well, sell smartly and rise above the average such trios.

Edwards next and on to rousing response to offstage announcement of his show. Uses two assistants in getting his stint under way, with some gags worked in to break lulls. Is sporting backdrop emblazoned with eye-filling and selling message of his radio sponsor (Ivory Soap) and makes an exaggerated salaam in its direction upon entrance.

Following roundup of candidates for the quiz and the succeeding consequences upon failure to answer the questions, Edwards sends them through some hilarious stunts which has the stubholders giving out.

When caught, responding stubholders walked blindfolded over paper bags; sang 'Down by the Old Mill Stream' while stuffing blackberry pie into partners' mouths, etc.

Awards are packages of Ivory Soap and $2 to participants and $5 to the biggest applause-getter. Show is drawing them in, with extra doings thrown in Saturday (14) by way of two public broadcasts, an extra money-getter. Layout presents a new angle in vaude houses away from the regular layouts of singers, dancers, acrobats and comics. Has been building daily, with final count due to reach impressive stature. *Burm.*

APOLLO, N. Y.

Les Hite Orch (14) with Bob Love, Oscar Bradley; Clark and Eaton, Vance Lowry, Brother Ford, May Joy, Freddie Robinson, Julia Gardner, George Wiltshire, Vivian Harris, House Line (16); 'Phantom of Chinatown' (Mono).

Apollo show is heavily peopled this week, but requires no more than the usual 90 minutes to run off. It's an average show for this spot, headed by the Les Hite band, an outfit which got its start in California and is not very well known in the east although it played this house once before.

Hite's combination of four sax, three trumpets, two trombone and usual four rhythm impresses nicely, but isn't an above ordinary group. None of the tunes it shows here is particularly terrific from an angle of arrangements, but it plays what it has with dispatch. Band is a bit different, however, from the usual colored combo in that it's able to use muted brass whereas most contemporaries ride roughshod over ballads and jump tunes alike with wide-open throttle.

Leader has done some singing, but he's not exercising his pipes here. Only vocals are done by Bob Love, deep-voiced singer who shows a tendency to garble lyrics. He does two, 'Let's Try Again' and 'Only Forever.' Hite's work is confined to directing and m.c.ing. Oscar Bradley is the drummer, featured on the finale 'You Know That I Know.' He works hard.

Clark and Eaton are adagioists, only white act on bill. They bounce into a Valentine setting employing neat work by the line and go through a series of poses and holds. Some of their tricks are interesting. The execution, however, is sloppy. Better way of getting out of the finale could be figured, too. Man swings the girl in circles, holding her by one foot, and the wind-up is when she's dragged on the stage.

Rest of the bill is made up of unknowns brought in to staff the various skits. Most extensive is the opener, a sort of minstrel-show idea using comedian Freddie Robinson as end man and George Wiltshire as interlocutor. In it work Brother Ford, a tapster whose main trick seems to be to stand on his toes; May Joy, high-pitched singer who does nicely enough but whose voice is too small for any important use. She warbles 'Alice Blue Gown' and 'Down Argentine Way.'

Vance Lowry, banjoist, gets in one inning on strings that stacks up as about the best thing on the bill. His strumming is neat and heavily tricked up for the finale. He tosses the instrument from hand to hand, in back of him, etc., all the while plucking strings. Julia Gardner singles. She's a singer-accordionist. If she'd forget the vocals and concentrate on the accordion, turn would be okay. Her vocals sound like amateur night in Harlem.

Robinson, Wiltshire and Vivian Harris combine midway for a bit of comedy that gets its quota of giggles. Biz average when caught. *Wood.*

LYRIC, INDPLS.

Indianapolis, Feb. 14.
Will Rock, Sid Tomack and Reis Bros., Charlie Althoff, Gautier's Steeplechase, Audhrie Wright; 'Tall, Dark and Handsome' (20th).

This week's bill is a hybrid. It's three standard vaude acts plus one amateur guest, and a pint-sized magic show put on by Will Rock in 27 minutes. While the overall time consumes 67 minutes, the bill seems short of talent, and the customer may leave the theatre feeling he hasn't gotten his money's worth.

All the billing in the ads goes to Rock, mustached, goateed mechanical illusionist, most of the stunts being standard. He does the floating lady, sword basket, mummy case, doll house, stretching a girl, and finishes by sawing a woman in half. Act lacks a sock.

Show opens with Gautier's Steeplechase, ponies and dogs. Ponies do formations, then the dogs ride the ponies. One dog comes out in tuxedo with a false head, winning solid response.

Audhrie Wright is the current winner of the WFBM 'Talent Parade,' and sings cutely 'Scrub Me Mamma with a Boogie Beat,' which could have been worked up into a bigger hand with a little more selling.

Charlie Althoff is standard and always surefire. Comes out as an old man who gets his fingers caught in his fiddle, soapbox, and clothing. After his utter confusion, he goes into fiddle rendition of 'When You and I Were Young, Maggie,' which is solid. Then straight to play a medley of jigs, 'Let Me Call You Sweetheart,' 'There I Go,' and 'God Bless America.' Althoff has played house many times and never misses a salvo of mitt slaps.

Sid Tomack and Reis Bros. give a new twist to the familiar male trio acts which have shown here. They threaten to go into knockabout, but have good taste enough to forego the temptation for entertainment. They introduce themselves as a singer, mimic and dancer, then do all three in unison. Imitate Bergen, Mills Brothers, old-time vaude trio, hillbilly singers and finish with 'Sonny Boy.' They're good enough and have material which is sufficiently fresh to land them in a Broadway revue.

Despite the effort expanded by all concerned, bill is not strong for healthy biz, with house light at third show Friday (14), opening day. *Kiley.*

ORPHEUM, L. A.

Los Angeles, Feb. 12.
George Jessel, Lois Andrews, Jean Gary, Lowe, Hite and Stanley, Jane Hazard, Fredericks and Lane, Dorothy Wade, Al Lyon Orch; 'Street of Memories' (Rep).

Marking the comic's first stage appearance here since 1936 and the Los Angeles stage debut of his wife, George Jessel and Lois Andrews are heading the Orpheum stage show this week and pointing the house for lucrative business.

Jessel has lost none of his old-time ability to entertain. He works throughout the show as m.c., does bits of monolog, as the moment may warrant, and works in one blackout skit that is good for belly laughs.

Miss Andrews, 'working by permission of the Board of Education,' as Jessel introduced her, made an instant appeal to Los Angeles theatre-goers at yesterday's (11) performances. Stunning to gaze upon, the gal wears a fetching costume and delivers torch numbers in a throaty voice that stamps her as a blues singer of the first water. She made good with a vengeance today (12), and balance of engagement should be stamped with further honors.

Jessel opens the show by kidding various radio programs, making friends with the kiddies in the audience and even going so far as to dish out autographed photos of himself to several of the youngsters. Comic doesn't overlook a bet, and, while his material is changed at virtually every show to meet conditions, he does not for a minute falter.

Fredericks and Lane are a pair of nimble hoofers who do a couple of routines together, branch off into solo stepping and wind up with a fast-moving exhibition of terpsichore that sent them off to good applause.

Dorothy Wade, a Los Angeles violinist, who has made good over the air as a member of KNX's 'Hollywood Showcase,' displays much technique with the stringed instrument, and after a gavotte type of opening, plays the 'Indian Love Call' with feeling and distinction.

Jean Gary, who has appeared with Jessel in the east, comes on for some torch warbling and fast stepping. Girl packs a load of personality and should go far.

Jane Hazard, another local femme and easy to look upon, first essays to do a little warbling, then goes into a blackout skit with Jessel that provokes plenty of laughter. Miss Andrews then on, garbed in a tight-fitting white-spangled bodice and flowing black skirt, with her reddish brown hair topping the ensemble. She does two popular numbers and, for an encore, 'Down Argentine Way' to excellent results.

Closing has Lowe, Hite and Stanley, trio comprising a midget, giant and normal-sized man, for a series of knockabout acrobatics and comedy which drew plenty of guffaws. Al Lyon orch accompanies throughout. *Edwa.*

EMBASSY, N. Y.

(NEWSREELS)

There are a number of arresting bits in the current bill at this Times Square newsreel emporium. Logically enough, they're all related to the current world situation. Possibly the most interesting clips are those covering Wendell Willkie's arrival at LaGuardia airport from Europe (Pathe) and his appearance before the Senate committee hearing on the lend-lease bill (Metro). Both are provocative, but probably the latter is more intriguing to the average theatregoer because the locale is less familiar.

Most of the clips dealing with the war reveal the common failing of all newsreel coverage of the current conflict—the difficulty in obtaining action pictures. Possibly the genuinely graphic stuff will become available after the war is over. In the meantime, such shots as the current one of the British drive in Libya (Par and Fox) and naval maneuvers in the Mediterranean are absorbing enough. Others less spectacular, but sufficiently illuminating, include midget war trucks at Ft. Benning (Universal), parachuting marines (Metro), air views of Puerto Rico's plane and naval bases (Par), several other defense program clips, shots of the wreckage of an army plane (Par), views of the arrival in California of the dog that has since died of hunger and loneliness (Metro), Churchill in Scotland (Fox) and the capsized freighter in Delaware Bay (Metro).

Rest of the bill is pretty much the usual assortment of bits from current news, beauty contests, sports, etc. On the whole, the bill is about average. *Hobe.*

FLATBUSH, B'KLYN

Bobby Byrne Orch (15), with Jerry Wayne and Kay Little; Larry Adler, Senator Murphy, Rosalind Gordon, Grace Drysdace; Newsreels and Shorts.

Coming in here with a rep of being on a network show and having been around various spots in the last two years, Bobby Byrne's band is proving okay boxoffice draw here. Supporting acts, aside from Senator Murphy and Larry Adler, are comparatively lightweight.

Orchestra is proving highly popular with the jitterbugs, but that's all. Byrne has surrounded his trombone with precision instrumentalists who lean to rhythmic music. Orchestra scores on its standout arrangements and the quieter melodies.

Byrne's aggregation differs little from the one he first presented for one night at the Hotel New Yorker, N. Y., more than a year ago. Dick Farrell, a new drummer, is an authoritative skins pounder while his balladists, Jerry Wayne and Kay Little, are tops, latter enhancing her slick warbling with looks. Bob McDonald is the crew's arranger and should take several deep bows instead of the single one handed him. Johnny Martel and Jack Yelverton are highlighted in their solo trumpeting and clarineting, respectively, Byrne trombone solos 'Stardust' neatly. 'I Hear a Rhapsody,' 'The Right Time,' 'You Walked By,' 'May I Never Love Again,' 'Stop Pretendin',' 'Song of the Island' and 'I Cried For You' are the principal tunes his crew uses for this show.

Larry Adler, harmonica virtuoso, is still clicko with 'Frenesi,' 'Night and Day' and 'The Breeze and I.' Senator Murphy incorporates the present wartime problems, defense and the traffic situation in his uproarious monolog that is aided by the veteran's showmanship. Working before this noisy audience, part of which tried to toss in some boos when he kidded the commies, the 'senator' built to the No. 1 hit of the show.

Rosalind Gordon, buck 'n' wing dancer who played this house nearly two years ago, is again proving a neat opening turn spotted after the initial band session. She has added a twirling tap-dance climax plus several new long, sweeping steps. Grace Drysdace (New Acts), marionet manipulator, does nicely, especially after she steps out to show how it's done.

Biz fair when caught. *Wear.*

ORIENTAL, CHI

Chicago, Feb. 16.
Louis Armstrong Orch, Big-Time Crip, Sonny Woods, Timmie and Freddie, Miller Bros. and Lois; 'San Francisco Docks' (RKO).

At the Oriental this week, Louis Armstrong proves once more that he belongs among the top band presentations. Received well by this house, he presents a well-balanced, all-colored surrounding bill.

Big-Time Crip, monopede terper, works hard, sells himself doing dance routine with aid of crutch, and then abandons latter and continues on dancing on one foot. His opening whistling bit seems unnecessary.

Miller Bros. and Lois, making an excellent appearance, score well, doing some rather difficult steps on a raised platform. What they lack in precision they make up by their unusual presentation. With a change or two in their opening dance routine, this could be an outstanding act.

Sonny Woods, receiving applause on this entrance, tied up the show with his rendition of 'Without a Song.' Great voice and style, and a finished showman. Had to beg off.

Timmie and Freddie, introduced as being local boys, offer some antiquated gags, which nevertheless brought good laughs. Boys have fine possibilities, but as yet have not developed a style of work and appear to be constantly groping. With material and some expert coaching, they could develop a good layout.

Highlight of the show, of course, is 'O'l Satchel Mouth' himself. Playing a medley of songs he introduced, in typical Armstrong style, he had this audience rocking in rhythm and hanging onto every high note. Orchestra itself is splendid and the arrangements good. Girl singer with the band just fair.

Capacity house at third show Saturday (15). *Gold.*

Fischer Plans to Import Yank Bands for S. A.

Rio de Janeiro, Feb. 18.

Clifford C. Fischer, due here next week from New York, to set his 'Folies Bergeres' company of 65 an extended South American tour, will set up shop here to import U. S. bands to Rio and Buenos Aires.

Fischer is also preparing a Brazilian-type revue to ship intact to Monte Proser's Copacabana, N. Y. nitery.

Unit Reviews

Earl Carroll's Vanities

(ORPHEUM, MPLS.)

Minneapolis, Feb. 14.
Bert Wheeler, Hank Ladd, Showgirls (20), Biltmorettes (3), Sterner Sisters (2), Reginald Craig, Beryl Cameron, Robert Williams and Stardust, Frakson (2), Artie Rise, Francetta Malloy; 'Chad Hanna' (20th).

This offering represents strong entertainment value. It embodies most of the essentials of a $3.30 revue in condensed and slightly less pretentious form. For that matter there have been some of the highly touted Broadway musical productions reaching the local legit stage which haven't provided nearly as much customer satisfaction.

Show not only has all the typical, impressive Earl Carroll flash production trimmings, but it also has a real name in Bert Wheeler and considerable other talent to back him up. Moreover, it has Wheeler at his funniest, with some corking comedy material and an ace straight man in Hank Ladd to fortify his funmaking. If the 20 girls aren't the 'world's most beautiful,' as claimed, they're at least among the niftiest feminine assemblages ever seen here. What's more, the revue, except for a few inoffensive moments, is scrupulously clean, and the costuming, while undoubtedly sufficiently daring and revealing to satisfy male admirers, never transcends good taste, extreme nudity being conspicuously absent.

The snappy entertainment follows the usual revue pattern for the most part, with a few novel twists here and there. Specialties and the Wheeler-Ladd laughter provocations are spaced between the feminine displays set off by lush scenery. The production is fresh and clean. The girls' wardrobe, running mostly to transparent material, seems strikingly different.

Sober-faced, apple-eating Wheeler and stubbornly insistent Ladd start the show on its laughing way. The Three Biltmorettes make their first of a number of appearances, performing difficult handsprings and somersaults. They are attractive girls as well as expert performers. Then comes the first parade of the Carroll beauts, plume-bedecked and carrying prop mandolins. Reginald Craig, robust tenor, handles the vocal well and the Sterner Sisters do a neat dance specialty. More fun by Wheeler and Ladd precede the next flash production number with the girls carrying parasols and going out into the audience to sit on male patrons' knees. Beryl Cameron warbles and does a good job of it.

Personable Bob Williams is back with his dog Red Dust, and again the dog's indifference to his master's commands and its suppleness excite laughs and wonderment. Williams' balancing feats with the canine bear repetition. Wheeler and Ladd have another good inning, with the former spilling clean and funny gags and stories.

'Blues on Parade' is another big nifty production number with the girls again prominent along with the Biltmorettes, who perform remarkable acro feats with a hoop and a rope.

Frakson, smooth-working magician, produces a seemingly endless number of cigarets from empty space and finishes by making a radio set disappear. The girls, in black velvet with pearl trimmings, parade as Craig sings again. Then comes a fan ballet. Artie Rise and Francetta Malloy work with Wheeler and Ladd in a funny comedy bit. Finale brings on the entire company.

Lower floor well-filled and a scattering in the balcony for the first show opening day, Friday. *Rees.*

FOLLIES CAPRICE

(CAPITOL, ATLANTA)

Atlanta, Feb. 16.
Rita Gallagher, Elizabeth & Co., The Four Johnsons, Rita del Gardi, Andrews, Dewald and Madeline, Ray and Harrison, The Gorgeous Gals (7), Aristocrats of Rhythm; 'Here Comes the Navy' (WB).

This unit was caught twice (9) and (14). First trip was opening show, second near end of run. Timing had been cut from 64 to 57 minutes and acts rearranged by house manager Earl Holden, who knows the biz. Topheavy with dance acts on the fore-end first trip, much better arrangement when finally lined up. Review covers latter.

Production number opens the show with Harrison, of Ray and Harrison, singing very poorly while linegals do dance routine. Latter than sing second chorus of the Harrison tune. Few caught song title or words. Gals are well trained and scanty costumes of black lace are just within the law. Applause meagre.

Rita Gallagher does her fast tap routine niftily. Goes over nicely. Elizabeth and Co., 10-dog act, pace action smartly.

The line comes back, cleverly costumed, as sweet sixteens (4) and boy friends (3). High kicking and precision breakaways make this the best production number in the unit.

The Four Johnsons deliver the mail to go over big. It's a family act, with pop, mom, son and sis working smoothly in softshoe, collectively and solo.

Riet del Gardi, billed as America's only woman magician, flops, although her patter and three tricks are okay. Uses time-worn knotted scarfs to open, which gets turn off to bad start. Next is torn-newspaper illusion which, unfortunately for her, is exact duplicate of last week's magician highlight. Finale is a Houdini favorite: swallows package of needles and ball of thread. Needles are threaded when pulled out.

The Gorgeous Gals (line) do a costume parade to slow waltz time while Harrison once more sings. Headdresses are a la Ziegfeld with plenty of plumes, costumes either scanty or slinky. Just a time-killer.

Andrews, Dewald and Madeline make up a fine class adagio act. Entire stint is done in evening attire. Stage presence is always there and routine is flawless.

Ray and Harrison are comics. She's big and hefty; Harrison is short and baldish. Patter is blase and funny, crude and pointed; sometimes off-color but not too offensive. She exits finally, does a quick-change and comes back in a ballet costume with lots of ruffles. Does a burlesque that would make a ballerina scream in agony, but this audience roared. Harrison cuts in and the act gets funnier. He hoists her 162 pounds, goes into a spin and winds up with a crash against the proscenium wall. They go over. Aristocrats of Rhythm (8), spiked by locals (6), handle music nicely. Swell biz both nights caught. *Jim.*

New Acts in Theatres

CLARENCE NASH
Ventriloquist, Lecturer
60 Mins.
Kleinhans Music Hall, Buffalo

Anything that fills the new 3,000-seat K.M.H. Saturday matinee at 35c adds up to some kind of significance, even in duck talk. Looks like the ventro biz is okay, though it took a coffee airer to make a national byword out of one former Chautauqua performer (Edgar Bergen), and a Walt Disney tieup to boost another (Nash) into the calcium. Disney is reported to have originally auditioned Nash impersonating a kid reciting 'Mary Had a Little Lamb,' characterizing him a 'larynx full of hot golf balls.' The description is accurate for this 'voice of Donald Duck.'

Nash is an unpretentious, businesslike youngster dependent more upon his queer vocal effects than the usual dead-pan technique. Management of Music Hall erred in billing him as entertainment for moppets, as he is anything but that. Practically devoid of showmanship, he tees off with a highly technical explanation of Disney production methods, way over the heads of youngsters and opaque even for adult auditors. Slides of Burbank plant are shown, various sound gadgets illustrated and details and intricacies of cartoon production processes explained, with an unabashed plug for Walt's cartoon crew. Sequence from 'Tortoise and Hare,' are shown in various phases of production, and a completed technicolor, 'Donald's Nephews,' is thrown in for a high spot. Double talk by Nash with a large-sized duck dummy is interspersed at intervals, proving clicko for the kids. Lighting, mike arrangements and amplification indicate the Hall's facilities for this kind of entertainment are still in the embryonic stage.

In present form this one is swell propaganda for Disney and his work (especially 'Fantasia') for adult trade, but definitely not designed for children. *Burton.*

GRACE DRYSDACE
Marionettes
6 Mins.
Flatbush, Brooklyn.

This type of marionette show, with Grace Drysdace using her hands and fingers to give the dolls animation, has possibilities. Only four characters are offered. There's the fan dancer, rhumba stepper and the ballroom couple. Last one presents a close resemblance to the accepted ballroomology offered by real dancers. Girl steps out from behind the black miniature stage to repeat the ballroom dance as she twirls in a dance of her own.

Act looks like a good night club novelty. *Wear.*

Belle Baker to Miami

Belle Baker, winding up a week at Loew's State, New York, tonight (Wednesday), opens Friday (21) as co-headliner with Romo Vincent at the Carousel, Miami Beach, for two weeks, with a half-week at the Olympia, Miami vaudfilmer, and a full-week at the State-Lake, Chicago, immediately following.

William Morris office agented.

'Father' Joins 'Abie,' 'Lightnin'' Among Shows to Play Year's Stand in Chicago

By DAN GOLDBERG

Chicago, Feb. 18.

The old-time spirit of the theatre was rekindled Saturday night (15) on the stage and in the auditorium of the venerable Blackstone theatre when the Chicago company of 'Life With Father' celebrated its first anniversary, or, as 'ally Fried said, 'its first annual celebration.' Only two other shows in the past couple of decades have been able to celebrate a first anni in Chicago, 'Abie's Irish Rose' and 'Lightnin'.'

That any show can stay a year in Chicago these days is a triumph for the play, the producer and everyone associated with the production. It is a demonstration of what can be done in the theatre if the attitude is not defeatist, if there is no pushing around of the patrons and no petty chiseling.

Taking an out-of-the-way house, Oscar Serlin made it the No. 1 spot of town and has made 'Life With Father' a matter of community pride. The Mayor of Chicago issued a municipal proclamation on the show's anniversary calling the show family 'Chicago's own family.' From the President of the United States came a congratulatory letter.

Anniversary party brought tears to the eyes of many an old-timer for the aura of glamour and legitimate tradition that was revived. All of show business here was on hand to honor the show and all connected with it. Serlin was there, and Russel Crouse and Mrs. Clarence Day. Ward Morehouse came in from N. Y. Colleen Moore and Irene Castle were there to make up a silent-film threesome with Lillian Gish.

Special Show's Lineup

In the special show on the stage after the performance were Bert Lahr, Willie Shore, Gypsy Rose Lee, Benny Baker, Jerry Bergen, Ella Gerber, Ben Gould, Eddie Hanley. Entire proceedings were run by Carroll Ashburn, 'Father's' stage manager. Using two youngsters, Charron Follett and David Jeffries, Ashburn staged a riotous skit with the two kids playing the roles of Miss Gish and Percy Waram.

There was some ribbing of the Shuberts, of Serlin and others. For a final touch they screened two D. W. Griffith flicker oldies, 'Unseen Enemy' and 'Musketeers of Pig Alley,' which starred Miss Gish.

Harry Forwood turned in a sensational job on publicity. Herald-and-American issued a special make-over job with the front page entirely devoted to 'Life With Father.' Drama League breakfast during anniversary week drew a record-breaking attendance to honor the show, with the Leaguers paying $2.50 a plate for the privilege. Mrs. Clarence Day addressed a conference of Women's Club presidents, which drew 400 club leaders from all parts of the midwest.

On the anniversary night performance, all women patrons received a corsage; the men got butonnieres. All patrons had souvenir gold-leaf tickets for their memory books and a special program. Forwood obtained cooperation from 34 stores throughout the loop for a tieup with the anniversary, and 17 restaurants and hotels joined in of their own accord to send birthday cakes to the show.

A. C. HOTELMEN NIX LEGIT-VAUDE PROJECT

Atlantic City, Feb. 18.

Atlantic City Hotelmen's Assn. declined to underwrite a legitimate theatre and vaude project in this resort at its meeting Friday night (14). The plan was advanced by Morris Green, New York theatrical promoter.

Adrian Phillips, hotelman and chairman of the committee to study the theatre proposal, said that although the hotelmen considered a theatre here 'a grand idea,' the association is not financially able to undertake the promotion, which would cost $20,000. That amount would guarantee working capital. The committee for several weeks, studied the proposal, which planned to lease one of the numerous dark houses here and produce plays and vaudeville.

Hotelmen voted to support the prospective Stokowski Youth Concerts, scheduled here April 27 to May 11.

Shows in Rehearsal

'Native Son' — Orson Welles, John Houseman.

'Your Loving Son'—Jay Richard Kenncdy, Alfred Bloomingdale, Joseph F. Loewl.

'They Walk Alone' — Ben Boyar.

'Five Alarm Waltz' — Everett Wile.

'Brooklyn Biarritz'—Marie L. Elkins, Clarence Taylor.

'The Student Prince' (road)— Shuberts.

'Arsenic' Traveling To West Point April 13 For Cadets' Benefit

'Arsenic and Old Lace' will probably play special performance Sunday night, April 13, at the U. S. Military Academy, West Point. Producers Howard Lindsay and Russel Crouse have agreed to the idea and the cast has okayed it, but Equity has not given permission, and the date is not final. Believed it would be the first Broadway show in memory to give a performance at West Point, although a few have given benefit shows at Sing Sing prison in recent years.

According to tentative plans, the cadets would build their own production for the show, which would avoid the cost of taking the setting from the Fulton, N. Y. Pointers would also set up their own lighting. Lindsay and Crouse expect to pay the train fare of the cast, however.

Idea of the performance apparently originated from a lecture at the Academy by John Anderson, drama critic of the N. Y. Journal-American. He raved about the comedy in his talk and the cadets, who under the present speed-up schedule of courses have no holidays in which to visit Broadway and see the shows, afterward asked him if there wasn't some way they could see 'Arsenic.' Anderson told Crouse about it and the latter wrote to West Point officials with an offer to take the show there for a single performance.

Since the West Point date has been under consideration, there has also been talk of 'Arsenic' giving a special showing at Sing Sing, but the play's theme of using wholesale murder as a comedy subject might be objectionable to prison officials. However, Warden Lewis E. Lawes saw the show at the Fulton and enjoyed it.

RAMIREZ OUT OF 'HEAT' DUE TO S. A. BOOKINGS

Carlos Ramirez left the cast of 'Crazy With the Heat,' 44th Street, New York, last night (Tuesday), the withdrawal being forced because of South American dates. Warbler plans rejoining the revue in four weeks, promising to journey back by Clipper plane, granted the show is still playing. Frank Parker of radio is slated to replace Ramirez tonight.

Business for 'Heat' picked up last week with the gross approaching $12,000. Show would have shown a slight profit at that level, but money for extraspace ads resulted in an even break. Revue added Sunday afternoon to its Sabbath evening schedule with fair attendance.

Thoda Cocroft Dickers For New Strawhat Site

Chicago, Feb. 18.

Thoda Cocroft, who has been operating a summer legiter at the Coach House theatre on the Armour estate in Oconomowoc, Wis., some 140 miles from Chicago, figures to move the strawhat to a spot only 50 miles from town, if her deal for a location on the Edith Rockefeller McCormick estate materializes.

New location would be in the ultra Lake Forest district and only a few miles from Fort Sheridan.

NUGENT QUITS 'ANIMAL' FOR PAR FILM CHORES

Pittsburgh, Feb. 18.

Elliott Nugent, star and co-author with James Thurber of 'The Male Animal,' will leave the Herman Shumlin hit next Saturday night (1) at the close of the Nixon engagement here and is to be replaced in the cast by James Bell, one of Broadway's many Jeeter Lesters. Nugent, who has been appearing in the play for the last 14 months, returns to Hollywood to resume his directorial chores at Paramount, beginning with a new Bob Hope film.

'Animal' has been a three-way winner for Nugent, who has collected as actor, author and part-producer. Couple of weeks of one-nighters following Pittsburgh will be Bell's baptism in the role and further extension of show's tour will depend on whether Nugent's withdrawal has any noticeable effect on boxoffice. Play has lately been mopping up in the East, hitting almost $19,000 week before last in Washington for the best weekly gross of its career.

Lazarus Sues Dramatists Guild Over Play Sale

Hollywood, Feb. 18.

Milton Lazarus, author of 'Every Man for Himself,' has brought suit in New York against The Dramatists Guild and the Authors League of America, Inc., for damages amounting to $25,500.

Lazarus asserts that while his play was running in San Francisco, where it was well received by the critics and drew large and enthusiastic audiences, he received from a major motion picture producer a very substantial offer for the film rights. This offer, Lazarus says, was made subject to approval of the sale by The Dramatists' Guild, prior to the New York opening.

It is further claimed by the author that the Guild, in violation of its own agreement, constitution and by-laws, failed to take appropriate action upon his request for its approval, and that he was therefore unable to take advantage of the studio offer. As a result, Lazarus says, he was obliged subsequently to dispose of the picture rights for $4,500, or $25,500 less than the original offer, and he accordingly seeks to recover that amount from the defendants.

Case is now pending in the New York state supreme court.

'Every Man,' with Lee Tracy starred, had a three-weeks run in San Francisco, following a Santa Barbara break-in, before going to N. Y., where it failed to catch on.

Katz's Roanoke Stock

Rochester, N. Y., Feb. 18.

George Katz, former burlesque operator at the Embassy here, is bankrolling move of local legit stock company to Roanoke, Va., for 10 weeks' season opening Feb. 17 with 'It's a Wise Child.'

Troupe, directed by Francis Ballard, played here in the Gregory St. Playhouse. Michael Stuart and Mary LaRoche continue in leads and Frank Reynolds as company manager.

Under present plans Norfolk, Va., try will follow Roanoke and Indianapolis next September.

KGKO UP TO 5,000

Dallas, Feb. 18.

Radio station KGKO, owned jointly by the Dallas News and the Fort Worth Star-Ttelegram, has received permission from the Federal Communication to increase its power from 1,000 to 5,000 watts. KGKO has studios in both Dallas and Fort Worth.

In order to make the power increase, Martin Campbell states a 415-foot vertical radiator will be erected besides the two 335-foot towers at KGKO's transmitter near Arlington. A new ground system, consisting of 120 radials, each 410 feet in length, will also be laid.

Meantime, WRR, Dallas' municipal broadcasting station, will erect a new 5,000-watt transmitter building.

Inside Stuff—Legit

Unusual stunt was pulled by Dixie French, general manager for John Golden, on the opening night of 'Claudia' at the Booth, N. Y., last Wednesday (12). Shortly after the premiere he secured a quote line from Howard Barnes, who goes on the air at midnight for WOR with condensed reviews of plays. The line was used in the 'Claudia' ads in the late editions of the a.m. papers, thereafter being extracted. Critics' notices were distinctly favorable, with one or two exceptions. Barnes is the picture reviewer of the Herald Tribune, the radio opinions being an additional stint.

Play is by Rose Franken, who did the staging, her first such job. She is married to William Brown Meloney, novelist whom she met in Hollywood when both were there on writing assignments. His mother is editor of This Week, the Trib's Sunday magazine section.

'The Talley Method,' retitled 'The Mechanical Heart,' then reverted to the original label, has been delayed four times as the result of unlucky breaks. First postponement came when John Halliday was taken ill and Philip Merivale replaced, to co-star with Ina Claire. Since then cast and script revisions have been made and the show is now due on Broadway at the Miller next Monday (24).

Herman Shumlin originally did the staging but it was agreed that he would be free after a certain number of weeks. He is now engaged preparing a new Lillian Hellman drama, untitled. Elmer Rice took over the directional assignment.

'Scandals' is in from the road after playing 83 weeks. It started as a full-length revue on Broadway and then toured legit stands, after which the show was condensed for picture houses, where it played 32 weeks, most extended booking of that type in some years. 'Scandals,' produced by George White, opened at the Alvin, N. Y., at $4.40, then moved to Warner's Hollywood with the scale reduced. House is now known as the 51st Street and has been housing ballets this winter.

White is now occupied with his Gay White Way, Broadway nitery. Understood the profits from 'Scandals' financed the cafe venture.

Six settings operated on rolling platforms will be used for 'A Man's Reach,' to be presented at the tiny Provincetown Playhouse in the Village by a new group called Theatre Associates. Play by Irwin Rowan and Martin J. Devon is slated Friday, Saturday and Sunday for four weeks, starting this weekend (21).

Show will not play under Equity conditions, association not being concerned in little theatre showings outside the Broadway zone. Same goes for colored shows which are confined to Harlem.

Surname of Harris is figured to be the most prevalent moniker in New York legit. Those so named include producers Sam H., Jed and William, Jr., no relation; Elmer, author of 'Johnny Belinda'; Sidney, company manager of 'Pal Joey'; Charlie, in the same capacity for 'Louisiana Purchase,' and the latter's brother, Lou, treasurer at the Biltmore theatre, and Willy, in the boxoffice at the National theatre.

Laurence Schwab, legit producer, is in Mexico City, where he writes he is 'taking a vacation from a vacation.' He went to Miami Beach some time ago and is due back there.

Last winter Schwab built a hotel in Florida which he leased for five years.

James Ramsey Ullman (and Sidney Harmon), who produced 'Men in White,' 'The Milky Way,' 'Blind Alley' and other Broadway legits, boasts in a current Esquire footnote that he reads four languages: 'English, French, German and VARIETY.'

Akron Looks for Plays To Milk Banner Season

Akron, Feb. 18.

Colonial theatre management here wants more road shows. After several in and out seasons, this season has proved a banner one for legit in Akron and only difficulty now is obtaining more plays with stars the folks know.

With four shows having visited the Colonial thus far, giving six performances, only once has the playhouse had an audience of less than capacity and that for a matinee. The house seats 1,475. Katharine Hepburn's 'Philadelphia Story' brought out 1,550 for the evening performance; 1,000 for the matinee. Tallulah Bankhead's 'Little Foxes' drew 1,550 patrons. 'Hellzapoppin' got attendance of 1,500, and 'Tobacco Road,' on its fourth visit, attracted 3,100 in a matinee-evening showing.

GRIEB GIVES UP

Milwaukee, Feb. 18.

Joseph C. Grieb, for 33 years manager of Milwaukee's biggest show place, the Auditorium, has finally given up his fight to retain the $7,500 a year job, from which the pensi board ordered his retirement.

He has been succeeded by William C. Maas, former executive secretary to Gov. Julius P. Heil.

May Do 'Nickel' in N. Y.

Los Angeles, Feb. 18.

'Friend for a Nickel,' new play by John Meehan, Jr., and Claude Stroud, has been bought by John Meehan, Sr., who will produce it here for possible Broadway showing.

Piece will be cast with name leads and be readied for early part of next season.

Joseph Heidt, Theatre Guild p. a., may operate the County theatre, Suffern, N. Y., this season. Walter Armitage, who had the strawhat last year, is out for this season, and there appears little chance that Haydon Evans or Ruth Weston will operate it, as has been repeatedly rumored.

REVISED JOB DRAMA WILL GET PITT TEST

Pittsburgh, Feb. 18.

'Dawn in Lyonesse,' Thomas Job's dramatization of the Mary Ellen Chase novel, which has been an off and on Broadway possibility for the last two seasons, will be tested this week at the Carnegie Tech drama school, where Job is an assistant professor. Since original tryout at Locust Valley, L. I., couple of summers back, drama has been considerably revised and several top-flight producers are expected in town to have a look at the piece. Earlier this year, 'Dawn' had been announced for a Broadway production by Felix Jacoves and the Olneys, who dropped it, however, a few months ago. It's to run for six performances at Tech, beginning Thursday (20), and Job himself is directing it.

Job is also the author of 'Not to the Swift,' which Cornelia Otis Skinner purchased in late October and expected to star in this season. However, she has asked playwright to make some revisions and in meantime will do dramatization of Somerset Maugham's 'Theatre' instead, holding 'Swift' until later.

Engagements

Canada Lee, 'Native Son.'

Ann Loring, James Todd, Owen Lamont, Herbert Ratner, Ralph W. Chambers, Dorothy Libaire, Bertram Thorn, 'Brooklyn Biarritz.'

Cornelia Otis Skinner, Margaret Bannerman, Arthur Margetson, Reginald Mason, Florence Edney, Joan Wetmore, Carl Harbord, Frederick Bradlee, Leslie Austin, Stanley Harrison, Ralph Bunker, Jack Merivale, 'Theatre' (complete oast).

Edward Hyans, Jr., 'My Sister Eileen' (Chicago company).

Elsa Lanchester, Carol Goodner, Olive Deering, 'They Walk Alone.'

Helen Zelinskaya, Curt Conway, Robert Shayne, 'Five Alarm Waltz.'

ROAD INTEREST REVIVED

Coast 'Dirty Show' Managers Held To Be Unfair; Censorship Feared

Equity has declared unfair half a dozen managers the Coast who are charged with using salacious advertising matter, if not bawdy parts in performances, of shows in which amateur players have been appearing. Move was made at the suggestion of the Screen Actors Guild, which fears that unless the practices are curbed a wave of censorship may start and spread throughout the stage and screen fields.

SAG sought to ve the theatres used declared unfair. Equity figured that such action might result in damage suits and regards placing the managers on the unfair list just as effective. It means that any amateur continuing to appear for the involved showmen will not be permitted to join any of the actor-artist unions. Equity will notify the managers and the casts individually, it being estimated that upward of 50 amateurs have been in the questioned shows.

It is assumed that not all the supposed amateur are of that classification, the inference being that a percentage of pros are appearing under phoney names. F checkup appears to have been made, but that will be done when the warnings are sent out. SAG has already adopted a ruling making all the ams concerned ineligible for membership.

Most of the questioned advertising is in the form of throwaways or heralds and some of the samples sent east bear out the claim that the managers overstepped the mark of decency. Church element in Los Angeles has complained about the practice for some time.

B. Bernard, MCA Agent, Others Backing Welles' Prod. of 'Native Son'

Principal backer of Orson Welles' production of 'Native Son,' slated for a New York preem March 17, is Bern Bernard, formerly associated with RKO on the Coast and later an agent there. Bernard will also act as business manager of the company, with choice up to him as to whether he will get billing as co-producer.

Welles and John Houseman, who is associated in the production, are the 'artistic' producers, while Bernard and two other backers term themselves the 'financial' producers in the setup. Other two coin men are Jerry Lavin, of Music Corp. of America, acting for another party, and William Herz, also acting for other interests. Lionel Stander was handed an 8% interest for his part in getting Welles and the coin together, while Welles, Houseman and Herman J. Mankiewicz as owners of United Productions, Inc., which holds the dramatic right to 'Son,' will also share in the take.

Bernard originally put up $20,000 six hours after first seeing the script last Wednesday (12). Anxiety of a number of Welles' friends to get in on the financing, however, resulted in Bernard being convinced to take back $3,000. This amount was then put up by Lavin and Herz. In addition, Bernard and Lavin each have another $5,000 to put in if needed, and there's some minor disagreement as to who will get first chance to put his money up.

'Son,' which has been dramatized by Paul Green and Richard Wright from Wright's best-selling novel, is the first show backed by Bernard. It will probably go into the St. James theatre, N. Y., costs being held down by use of the turntable made for Welles' production of 'Five Kings'. Three previews will be given prior to the opening.

Richard Aldrich will again operate the Cape playhouse, Dennis, Mass., this summer, his fifth at the spot. Ten-week season opens June 30.

HOW TO CRASH LEGIT IN ONE EASY LESSON

John Quigg, who plays Officer Brophy in 'Arsenic and Old Lace,' at the Fulton, N. Y., is making his legit debut in the play. A veteran of many years in vaudeville, he was out of a job when the Gay New Orleans show folded with the closing of the New York World's Fair.

'After thinking it over,' he explains, 'I decided vaudeville was dead, so I told Mrs. Quigg I was going into the legitimate. I went downtown that very day to look for a job. One of the first people I met on Broadway told me somebody at the Empire theatre was casting a cop part in a new play. I went down, was immediately cast and here I am.'

First few rehearsals were confusing, Quigg says. But he explained to director Bretaigne Windust that it was merely because he was used to being alone on the stage. 'Now Boris Karloff and the others don't bother me a bit,' he adds.

QUITS 'JOEY' FOR PRIVATE JOB

Persons from the commercial field have aspired to the stage and sometimes made the grade, but virtually the reverse is true of Cliff Dunstan, who recently quit 'Pal Joey,' an established hit at the Barrymore, N. Y., to work for the General Electric Co. The GE job was competed for by a number of actors who were quired to apply at the plant, quartered in the former Remington Arms factory in Bridgeport, Conn.

The actor had to apply to the personnel department just like any artisan or mechanic seeking a job.

Dunstan's assignment with GE, however, will be professional. He will head a show to be sent on tour to the company's other plants and offices. Balance of the troupe is said to consist of amateurs, mostly people selected from among the employees. Shows are designed to pep up salesmen for GE. Salary paid Dunstan in the new job materially tops that he received in 'Joey' and includes first-class transportation and hotel accommodations.

Billy House Working 'Hellz' in Wheel-Chair

Pittsburgh, Feb. 18.

Billy House, co-starred with Eddie Garr in touring 'Hellzapoppin,' has been down with bad case of neuritis ever since revue opened at Nixon last Monday (10) and is playing only those scenes in show he can do from a wheel chair. That eliminates rotund comic from most of his sketches with Garr and as a result he's doing only about four skits, instead of the even dozen in which he's programmed.

Bobby Jarvis, who had been playing several bits 'Hellz,' stepped into House's shoes with only a couple of hours' rehearsal opening night here and crix all gave him a hand for a first-rate job. House hasn't been able to leave his rolling cot for 10 days now, being wheeled from his hotel to the theatre for every performance.

First-nighters thought it was a typical 'Hellz' gag when a bell-boy from the William Penn hotel wheeled House in through the front entrance of the Nixon while the lobby crowd was thickest at the big benefit (Mercy hospital) opener. Cash customers weren't aware until midway through the show that the wheel chair was on the level.

GOOD B. O. ALL ALONG THE LINE

Some Managers Have Showed Tendency to Limit Showings to Broadway, But Attitude Has Been Changing—24 Troupes on Tour

HITS INCREASE

The road this season has been flourishing in most stands and worthwhile attractions have been drawing profitable grosses all along the line. Some managers have shown a tendency to produce principally for Broadway and to play only the key cities out of town. Now indicated they are showing revived interest in the road and next season should find more shows in the hinterland.

There are currently around 24 troupes on tour, including several ballets which are booked in legit theatres, but there are more shows currently playing Broadway than presently on tour. For a time it was figured that the season of 1941-42 on the road would be on the downgrade because of the paucity of new hits, but with the coming of fresh successes there is a more encouraging slant.

'Father,' 'Dinner,' 'Foxes,' 'Road'

Roadshow companies of outstanders have been notable for almost a solid year, 'Life With Father' and 'The Man Who Came to Dinner' prospering in particular. While not getting as high grosses, 'Tobacco Road' on the road continues to play repeat dates, getting grosses that triple those of the Broadway company and sometimes much more. The high takings of 'The Little Foxes' and, in certain spots, 'The Male Animal' have surprised Broadway.

'Dinner,' with Alexander Woollcott, which recently resumed on the road, is another eye-opener. Booked into Baltimore for two weeks, the show cleaned up. Currently it is playing a split week, but opens in Washington next Monday (24) for another two-week stand. Advance sale at the capital is so heavy that a $20,000 pace is anticipated. Woollcott is repeating the draw that he started in Los Angeles last season, which was followed by his layoff through illness. It's possible that the humorist, playing himself, will appear in the Broadway company before the season enters the summer.

Outside of the ballets there are three musicals on tour. Two are cleaning up—'Hellzapoppin' (No. 2), and 'DuBarry Was a Lady.' Bringing in Eddie Garr and Billy House to the Winter Garden 'Hellz' to bat for Olsen and Johnson when they go Hollywood next summer, is being mulled.

Key Stands Satisfied

Managers in key cities are apparently satisfied. An instance is in St. Louis, where the American theatre has played 15 weeks of road shows and earned a profit with every show this season except 'Morning's At Seven.' It has four more attractions coming in, all virtually a cinch to get real money.

Attractions to play there are 'There Shall Be No Night' (Lunts), 'Twelfth Night' (Helen Hayes, Maurice Evans), 'DuBarry Was a Lady' (Bert Lahr), and 'Cabin in the Sky' (Ethel Waters). House is operated by Paul Belsman.

Raze Ex-Barnum Theatre

Bridgeport, Feb. 18.

Park theatre, 75-year-old house formerly owned by P. T. Barnum, then called America's Music Hall, will be razed and replaced by an office building.

Long Bridgeport's road show stand, Park was leased to Fox New England chain in 1929, but went dark when circuit went into receivership. Federal Theatre used house a few years ago.

Mid-Week Broadway Biz 'Way Off; 28 Shows Compared to 21 Year Ago; Confidence in Summer Production

HAMMERSTEIN-ROMBERG OPERETTA FOR ST. LOO

St. Louis Municipal Opera season is being set for the summer season which starts June 5. First attraction will be 'New Orleans,' a new operetta by Oscar Hammerstein, II, and Sigmund Romberg, their first collaboration in some years. The show is a potential attraction for next season, though no producer is mentioned.

Final attraction is to be 'Balalaika,' but presentation is contingent upon the production reaching this side from London, where the show was presented in 1937. It was slated for Broadway a season or so ago but the deal fell through. 'Balalaika' was made as a picture in Hollywood. Between the two new shows decided on, the balance of the season will see musical revivals as heretofore.

NO TROUBLE ON TICKET LEVY COLLECTION

Demand on Gotham ticket brokers by the League of New York Theatres that they remit the ticket levy, one of the code stipulations, has resulted in prompt responses. Approximately $8,000 was due the code enforcement board and two-thirds of that total has been received. Money was for tickets sold by agencies during the first three months of the season.

Willingness of the brokers to put it on the line may be explained by a one-third reduction in the levy. Originally they were supposed to pay 3½c per ticket, but last season the 'tax' was lowered to an even 3c. Recently, the code outfit cut the levy to 2c but forgot to make mention of the cut.

Brokers protested the 3c levy although 1c was to be held in escrow and rebated the agencies if the money was not expended. Ticket people have been claiming right along that the levy made it difficult for them to operate out of the red. Coin from tickets is supposed to be used for policing those agencies reported to be evading code restrictions. With the license commissioner understood to have assigned deputies to do that work, it is doubtful if the code people will duplicate the coverage. Code people, however, are known to buy tickets at various boxoffices mostly with the idea of checking whether the proper number of tickets are available for direct sale.

Each theatre must keep 25% of capacity for direct sale. It appears that some treasurers did not understand that included the best locations, but that is one of the code's principal rules.

Lawyer Turned Actor

Milwaukee, Feb. 18.

Manfred Gross, a Milwaukee lawyer who took over a stock company and became so enamoured of show business that he married his leading woman (Myrtyl Ross) and became an actor himself, is now in radio as the central figure in 'This, Our Native Land,' a series of dramatizations of the lives of the Presidents being presented for a half-hour on Sunday afternoons over WTMJ.

The erstwhile barrister not only authors the continuity, but portrays the character of 'The Old Timer,' who acts as narrator, connecting the dramatized vignettes.

Broadway is having mid-week patronage trouble, attendance being off so much Thursday (cook's day out) in particular that showmen have been squawking. Except for the highgrossing attractions, business is strong only Friday and both performances on Saturday. Sundays have developed to such an extent that on Monday nights along Broadway the show district has a rather deserted appearance.

While spring production is still on the offish side, there are more shows on the list currently than last year at the same time, by more than 30%, despite the closing of two shows last week. Currently, there are 28 attractions, as against 21 in mid-February, 1940. Among the stayers are five holdovers.

'Liberty Jones' which cost the Theatre Guild plenty to produce will stop at the Shubert Saturday (22), quickest flop the outfit ever had. 'Popsy' was yanked at the Playhouse after four performances at last mid-week. 'Boudoir' closed pronto at the Golden Saturday. Next week 'The Talley Method' which was retitled 'The Mechanical Heart' arrives at the Miller and 'Brooklyn Biarritz' lights the Royale.

Golden Indicates Confidence

First well-known showman to indicate confidence in next summer on Broadway is John Golden. Immediately after opening 'Claudia' at the Booth last week, he announced the production of 'Theatre,' which he planned holding back until next season. Show goes into rehearsal around the middle of March. Play is a Guy Bolton dramatization of Somerset Maugham's story, Cornelia Otis Skinner to be starred. Other managers are known to be concentrating on scripts and are anxious to go into action.

Sundays

Earlier starting curtains, which have been mulled for some time, may be given a test on Sundays. Afternoon performances usually begin at 3 o'clock. While such performances may not be set ahead, the Sabbath-night showings may be scheduled for 8 o'clock. There is apparently a logical reason for ringing up then since it is believed that most patrons would be afforded the opportunity of reaching their domiciles sooner.

More shows are trying Sunday matinees, dropping Monday nights and midweek matinees. Past Sabbath (16) reports on business were in and out, but apparently satisfactory for most shows, same going for the afternoons.

Ballet Theatre's Mild B. O. In N. Y. May Be Explained By Too Much Competition

The Ballet Theatre, one of several ballet organizations playing legit theatres, opened a limited engagement at the Majestic, N.Y., last week. Outfit was accorded a favorable press but business was mild after the debut. Attendance picked up Saturday and Sunday nights, however, when takings were around $2,300 on each evening.

Current dance group was preceded by two ballets which played to excellent business at the 51st Street (Warners Hollywood) earlier in the winter. That may explain the difference in attendance draw by the Ballet Theatre over last season, when it attracted considerable attention at the Center, Radio City.

Prior to the current date the Theatre Ballet played six weeks in Chicago under the auspices of the Civic Opera. It is slated to play the Colonial, Boston, March 24.

Plays on Broadway

CLAUDIA

Comedy in three acts by Rose Franken; presented at the Booth, N. Y., Feb. 12, '41, by John Golden; staged by the author; setting, Donald Oenslager; $3.30 top.

Mrs. Brown..........................Frances Starr
David Naughton.....................Donald Cook
Claudia Naughton..............Dorothy McGuire
Bertha.............................Adrienne Gessner
Fritz..................................Frank Tweddell
Jerry Seymour........................John Williams
Madame Daruschka..............Olga Baclanova
Julia Naughton.....................Audrey Ridgwell

For his second presentation this season John Golden steps out with a comedy that should do swell for him and the well-chosen cast.

'Claudia' is by Rose Franken, who reappears in the show list after a lapse of nearly 10 years, though she has been busily engaged at book writing. New play may be up to her 'Another Language' click despite the fact that after a humorous start the play becomes serious. That is definitely the author's intention. There is no doubt about Miss Franken's skill in character-etching, and most of the e in the play are interesting people.

It is essentially a woman's play, and appealed to the feminine reader when in book form. Story principally deals with the awakening of a child-like wife to realities. Claudia and David Naughton live in a charming house in the country. She is in constant wonderment over the animals sex life. Maybe that's strange for the average modern girl.

Claudia is deeply attached to her mother, a frequent visitor from New York. There is a party line, and Claudia has a habit of listening in on phone calls of other people. From an extension in the kitchen, Claudia listens in once too often. That is the occasion when her mother calls David to tell him that after a visit to the doctor she has learned about an incurable illness.

The actual awakening of Claudia comes with the realization that she is to have a baby. She doesn't understand the dizzy spells until the kindly maid indicates her condition. Not long before that she has been amorously kissed by a neighboring author, a Britisher who makes no bones at playing with other men's wives. The incident is not important to the play.

The servants are middle-aged man and wife, engaged without references. The couple are decent people, though it develops that he had been in prison. David does a little checking up and finds the man had taken the blame for a bit of forgery committed by his son. When the story is fully developed, it concludes in a lighter vein, plus a touch of tenderness.

Dorothy McGuire and Donald Cook, as Claudia and David, give splendid performances. It is Miss McGuire's first real chance, though she played the femme lead in 'Our Town' during the latter part of its Broadway engagement. She not only looks the part of the naive young wife, but seems temperamentally suited for it. Cook has given a good account of himself on Broadway, but no more likable a part than David.

Frances Starr plays the mother with restraint and understanding, upholding her position among the fine actresses of the stage. Adrienne Gessner and Frank Tweddell, as the servants, also give real performances, as does Olga Baclanova, in the part of an opera singer. She's on but once. John Williams plays the Britisher, a part not as agreeable as the others. Miss Franken handled the staging neatly. *Ibee.*

Out of the Frying Pan

Comedy in three acts (four scenes) by Francis Swann; staged by Alexander Kirkland; setting, Cirker and Robbins; presented by Kirkland and William Deering at Windsor, N. Y., Feb. 11, '41; $3.30 top.

George Bodell......................William W. Terry
Mrs. Garnet..............................Mabel Paige
Norman Reese...........................Alfred Drake
Muriel Foster....................Florence MacMichael
Kate Ault..........................Nancy Douglass
Marge Benson...........................Louise Snyder
Tony Dennison.........................Sellwyn Myers
Dottie Coburn...................Barbara Bel Geddes
Mr. Coburn..............................Henry Antrim
Mr. Kenn...............................Reynolds Evans
Mac......................................Arthur Holland
Joe......................................George Mathews

Alexander Kirkland and William Deering have themselves a play, a cast and a theatre—now they need a salesman. For 'Out of the Frying Pan' is one of those comedies that isn't comic enough to be a hit, yet presents too much that is pleasant to go by the board. What it requires for a run is a merchandising expert. For there are sufficient laughs in it for at least a moderate stay if it is properly sold and hypoed with theatre parties, reduced-rate tickets and the other ingenuities of Broadway. While lack of names will hurt somewhat, it also means the nut is virtually negligible.

Author Francis Swann is said to have included much that is autobiographical in his play, and that's easily believable. He's built his story around six likable kids, three boys and three girls, who are perpetually but one step removed from starvation and eviction while they bat their heads against a wall in an endeavor to land Broadway legit jobs. The youngsters of the cast so closely resemble those of the script there's constant mental entanglement by the audience between actual players and the story's characters. Result is the engendering of considerable sympathy, a kind of feeling by the spectators that they want to like the show—which should help at the b.o.

The half-dozen kids live together in a brownstone apartment more or less platonically. Their chief support is from one of the gals, whose father sends her a regular allowance. Attempt to keep him from learning of the somewhat unusual circumstances under which his daughter is living provides one leg of the plot. Second is the big Broadway producer who lives in the apartment below and whom the ambitious sextet try to bait into seeing their version of his current mystery hit.

Play gets away slowly under Kirkland's staging, but picks up speed—also laughs—in the second and third acts. There are plenty of funny lines and situations, but direction isn't quite sharp enough to get the maximum from them. Lots of the humor, at least for first-nighters, lay in the use of actual names and places. For instance, one of the characters says defensively: 'What's wrong with the Group Theatre?' To which the answer is: 'Nothing that George Abbott couldn't cure.' Producer in the yarn, who fancies himself a great cook and will talk to anyone and everyone if the subject be garnishes of sauces, is said to be patterned on Crosby Gaige.

Alfred Drake, more or less the leader of the band of six, and Florence MacMichael, as a dumb-dora friend who happens in on the others, take top personal honors. Drake, who was last seen on Broadway in 'Two for the Show,' is a skillful comedian. Miss MacMichael is making her Broadway debut. Handed the juiciest comedy and business, she milks every ounce out of them with a high, squeaky voice and a pathetically stupid manner.

Eighteen-year-old Barbara Bel Geddes, daughter of designer Norman, is also doing her Broadway break-in. She's the naive member of the group and it's virtually impossible to tell where life leaves off and acting begins, which makes her more than passable for the role. On the other hand, Mabel Paige, as the old landlady who's never certain whether the drama in her house is real or acted, is a veteran whose ability and confidence sometimes set off other members of the cast sharply, although all the players go over. Reynolds Evans as the producer is particularly slick.

Play was tried out last summer at the Hilltop strawhat theatre, Ellicott City, Md., and attracted attention of film companies. It's definitely picture material, with Metro said to be particularly interested in its possibilities as William Deering, coproducer, is a member of its New York talent department. Show is a kind of second-rate 'My Sister Eileen' and will be surefire for stock and strawhats. *Herb.*

Plays Out of Town

The Doctor's Dilemma

Detroit, Feb. 17.

Drama in three acts (five scenes) by George Bernard Shaw; presented by Katharine Cornell; features Miss Cornell, Raymond Massey, Bramwell Fletcher, Ralph Forbes, Colin-Keith Johnston, Cecil Humphreys, Whitford Kane, Clarence Derwent; staged by Guthrie McClintic; settings, Donald Oenslager; costumes, Motley. Opened at the Cass theatre, Detroit, Feb. 17, '41; $3.30 top.

Redpenny.................................Stanley Bell
Emmy..........................Alice Belmore Cliffe
Sir Colenso Ridgeon.................Raymond Massey
Dr. Schutzmacher...............Clarence Derwent
Sir Patrick Cullen....................Whitford Kane
Dr Cutler Walpole.....................Ralph Forbes
Sir Ralph Bonington..............Cecil Humphreys
Dr. Blenkinsop..............Colin Keith-Johnston
Jennifer Dubedat...............Katharine Cornell
Louis Dubedat..................Bramwell Fletcher
Minnie Tinwell......................Margaret Curtis
Newspaper Man..........................Leslie Barrie
Secretary.................................David Orrick

With its who's who cast, Katharine Cornell's third fling at George Bernard Shaw wound up its opening here a decided players' triumph. Surrounded by a sound cast, Miss Cornell is less in evidence than one would expect of a player-manager, but the powerful male contingent carries the comedy-drama home despite some patches of antiquated 1906-vintage Shaw.

Due in New York in three weeks, 'The doctor's Dilemma' was plenty polished at its premiere. Its gorgeous sets and dress, which projects its era even without benefit of actors, is no unimportant quality in keeping the medical theory of the play from being labored as well as belaboring.

Great male contingent, setting off that loveliness which Miss Cornell distills, booms through the dead sections to make it an actor's victory. Headed by Raymond Massey, ill but up to the mark and escaped from the confinements of an historic role, such stalwarts as Cecil Humphreys, Whitford Kane, Bramwell Fletcher and Ralph Forbes, latter returning to the stage after 12 film years, put a vitality into the play and a crackle into the lines which wound up the performance with a dozen curtain calls at the preem.

The deft direction, sharp playing and careful shading of scenes gave the Cornell vehicle plenty of life—even if the subject is death. There's no distinct weakness discernible in the cast, although Colin Keith-Johnson puzzles a little. All of which makes for great going in a play that could easily be talked into the footlights. *Pool.*

Across the Board on Tomorrow Morning

Pasadena, Calif., Feb. 11.

Comedy in one act (four scenes) by William Saroyan; directed by Frank Ferguson; Gilmor Brown, supervising director; set by Rit Glover. Presented Feb. 11, '41, by Pasadena Playhouse Ass'n at Community Playhouse, Pasadena. $4.65 top.

Jim.............................Robert G. Rockwell
Thomas Piper........................Oliver Prickett
John Callaghan......................Pat McVeigh
Harry M......................William Erwin
Helen...................................Jeanne Hempel
Peggy.....................................Toni Conrad
H. J. Fin.........................Regan McCasey
Lois......................................Jane Cowan
Palda...................................Leon M. Lontoc
Pancho..................................Dorotea ... Ines
Sammy..........................Joseph G. Grosshelm
Clay......................................Lester Jackson
Rhinelander 2-8182..........................Meg Wyllie
Fritz.....................................Wallace Scott
Callaghan Mallory...................Stephen Howard

Saroyan is off to the races, one might surmise from the title of his newest theatric daffodil, given its worldly break-in in this cultural capital of southern California. But no, it has little to do with the bangtails other than a bare mention by cabbie that he's playing a nag, answering to the titular name, three ways. Mebbe, deep in the folds of the play there's a hidden meaning or a symbolic something-or-other. Still, it may be an old Armenian custom to drug the playgoers with befuddlement. Albeit, it's truly Saroyanesque, say his cronies, and whatever that is should suffice for whose who like to dabble in abstractions.

Pasadenans are still trying to figure out what the young man is trying to do or say, in spite of a curtain preface by the author, which is more muddling than lucid. At curtain's fall there were cries of 'bravo' from the intellectuals, which included a good scattering from Hollywood. Plain playgoers sat in bewilderment, befogged at what they had witnessed.

One literary nabob of a major talent agency guessed that Saroyan was sounding a plea for the underdog, the lonely. Shot back another, 'That's not it at all; it's just a series of exciting interludes.' Leaving the theatre, Al Woods was heard to exclaim, 'It's out of this world.' Lobby comment summed it up best in one word, 'screwy.' Several critics came to view it, wrote nothing the next day.

Saroyan plants his tale in a combo bar-cafe, where the various characters congregate to espouse their philosophies and invariably remark, 'what are those people doing out there' (meaning the audience). After the waiter goes into a long dissertation on what this opus is all about (huh!), the boss of the place comes in and whispers to the menial 'I'd like to dance a jig,' which he does. Later the urge comes over him to sing 'Tara's Hall,' which is duly performed with all the Celtic inflections. One scene is about gone and the sitters start searching through their mental processes. Mebbe something will happen to start the plot unfolding. A fast-talking young fellow comes in, orders everybody around and plies to a dame at a nearby table, 'people stink.' She echoes the sentiment, 'yes, people stink.'

A pair of swells in formal getup drift in, get involved verbally with the talkative youngster, who puts the scold on them for being what they are, or perhaps what they ain't. The waiter has slaved long enough, he allows, and changes places with him. Then unloosed is a lot of hoopla about illusions, reality and the such. The customers are really beginning to squirm by now. A couple of times a drop with screwy designs is lowered as a background for the waiter-narrator to get off what has been going on, what is to come. It's a tossup whether his blatherings or the drop are the more esoteric.

There's a flurry just outside the cloakroom and the doorman comes rushing in. 'A woman is about to have a baby,' he cries. She's taken in, administered to by Filipino kitchen boys, and other life takes form. An hour later the newborn is at manhood, tells his father 'if you don't like me, the hell with you.' Realities dispensed with, there's a long harangue about everyone being dead, the world has dissolved into nothingness. The drunken cab driver wants to know if his bus is still out front. 'Oh, ' he's told, 'everything's gone.'

Up to now the mist hangs heavy over the heads in the auditorium. Perhaps it'll all be justified in the last scene. Up goes the curtain and the stage is bare. One by one the habitues and employes drift out into the night. When the last one has cleared out, a husky Negro moves through the room, humming and singing, adjusting the chairs and otherwise putting the place in order. Not one word has been uttered through the scene. The curtain drops, exactly one hour, 10 minutes after it first lifted, and the audience sits unmoved, as if transfixed. A voice from the back reaches comes booming, 'Bravo, Author.' It begins to dawn on most that the play is over. One by one they pick themselves up, shake off the daze and look startled at one another. 'Well, that's Saroyan,' intones an intellectual looking gent to his companion.

Play is performed by most of the Pasadena regulars. Wallace Scott, as the tipsy cabbie, and Oliver Pickett, waiter-narrator, turn in the best jobs. Piece is in for two weeks and then may go to Frisco for a brief stand. Saroyan is still undecided whether to take it to New York for more critical observation. An emissary of the Shuberts cornered the playwright opening night, but what came of their conversation has not been divulged. *Helm.*

MY SISTER EILEEN

(ROAD COMPANY)

Buffalo, Feb. 12.

Comedy in three acts by Joseph Fields and Jerome Chodorov; adapted from stories by Ruth McKenney; presented at the Erlanger, Buffalo, Feb. 12-15, by Max Gordon; staged by George S. Kaufman; $2.75 top.

Cast: Audrey Christie, Marcy Westcott, Phil Loeb, Edward Ryans, Buddy Matthews, Robert Morehouse, Milford Roberts, John Kearney, Guy Robertson, Gerald Matthews, Larry Southern, Priscilla Newton, Merritt Stone, King Calder, Anton McQuade, Joan Castle, Marjorie Dalton, Theodore Newton, Al Amato, Jack Arnold, George Calvert, Sam Fischer, Jerry Sylvon, George Travell, Donald Cameron, Edith Gresham, Ralph Simone.

This road company of Fields and Chodorov's wacky dramatization of the Ruth McKenney New Yorker mag stories, headed for a Chicago run following its four-day showing here, is framed to hold its own in any company. Max Gordon's production is a careful replica of his current Broadway hit, with a lineup so completely effective histrionically as to make it difficult to see how even the New York cast could represent any improvement. In fact, talk around the lobbies at the preem by the cognoscenti had some of the portrayals tagged as being superior to the originals.

As in all his directorial contributions, George S. Kaufman's incisive touches do much to point up the action. To the zestful zanyisms of the plot, Fields and Chodorov have added an ingenuity of treatment and a barrage of crackling dialog to make a combination which is theatrically irresistible. In spite of this, it seems likely that road receipts may be sparse, with plenty of word of mouth and other advertising needed for a buildup. The New York run is only a few weeks old and, at best, the McKenney stories are known to only a limited circle of sophisticates. Once grooved, however, the show should develop plenty on its own merits.

Phil Loeb's Appopolous, the Greek landlord, is a fine part, and Loeb does an unusually capable stint in filling out the character in all its implications, even to its semi-serious overtones. Marcy Westcott is a demure and eye-filling Eileen, lending to the part a wealth of natural charm which furnishes ample justification for the chasing propensities of the cast's males. Audrey Christie's Ruth is properly crisp and acidulous, with just enough femme piquancy to make the role human and convincing. As The Wreck, Guy Robertson bridges the gap from light opera to comedy with considerable gusto, while King Calder's Chick and Theodore Newton's Baker are in perfect tempo.

Minor characters are excellently cast. Opening was without a single noticeable slip. Gordon was on hand for the first performance, as were also both of the authors. Robert Milford is with the company as manager. *Burton.*

Current Road Shows

(Feb. 19-March 1)

Ballet Russe de Monte Carlo—Liberty hall, El Paso (19); Fair Park aud, Dallas (20); Music hall, Houston (21-22); Robinson aud, Little Rock (24); Aud, Oxford, Miss. (25); Muni aud, New Orleans (27-28); Leon H. S., Tallahassee, Fla. (1).

'Blossom Time' (Everett Marshall)—Grand, Chicago (19-22); Davidson, Milwaukee (24-1).

'Doctor's Dilemma' (Katharine Cornell)—Cass, Detroit (19-22); Hartman, Columbus (24-26); Cox, Cincinnati (27-1).

'Du Barry Was a Lady' (Bert Lahr)—Grand, Chicago (19-1).

'Five Alarm Waltz'—McCarter, Princeton (1).

'Hellzapoppin'—Nixon, Pittsburgh (19-22); Muni aud, Charleston, S. C. (24-25); Ryman aud, Nashville (26); Erlanger, Atlanta (27-1).

'Life with Father' (Lillian Gish)—Blackstone, Chicago (19-1).

'Life with Father' (Dorothy Gish)—Repertory, Boston (19-1).

'Little Foxes' (Tallulah Bankhead)—Coliseum, Evansville, Ind. (19); Memorial aud, Louisville (20); Bijou, Knoxville, Tenn. (21); Plaza, Asheville, N. C. (22); Carolina, Spartansburg, S. C. (24); Carolina, Greenville, S. C. (25); Carolina, Columbia, S. C. (26); Carolina, Charleston, S. C. (27); Muni aud, Savannah (28); Miller, Augusta (1).

Littlefield Ballet—Aud, Vicksburg, Miss. (19); Lanier aud, Montgomery, Ala. (20); Aud, Asheville, N. C. (24); Winthrop college, Rock Hill, S. C. (25); Page aud, Durham, N. C. (27); Women's college, Greensboro, N. C. (28-1).

'Male Animal' (Elliott Nugent)—Locust, Philadelphia (19-22); Nixon, Pittsburgh (24-1).

'Man Who Came to Dinner' (Clifton Webb)—Music hall, Houston (19-20); Paramount, Austin (21); Majestic, Ft. Worth (22); Convention hall, Tulsa (24); Shrine aud, Oklahoma City (25); Arcadia, Wichita (26); Muni aud, Kansas City (27-1).

'Man Who Came to Dinner' (Alexander Woollcott)—Playhouse, Wilmington (19); Lyric, Richmond (20-22); National, Washington (24-1).

'Mechanical Heart' (Ina Claire, Philip Merivale)—Forrest, Philadelphia (19-22).

'My Sister Eileen'—Harris, Chicago (19-1).

'Night Must Fall' (Florence Reed, Douglass Montgomery)—Grand, London, Ont. (19); Erlanger, Buffalo (20-22); Cass, Detroit (24-1).

Original Ballet Russe—Opera house, Boston (19-22); Constitution hall, Washington (24-25); Lyric, Baltimore (26-27); Academy of Music, Philadelphia (28-1).

'Pins and Needles'—Studebaker, Chicago (19-1).

'Pygmalion' (Ruth Chatterton)—Lobero, Santa Barbara (19); Civic, Pasadena (20); White, Fresno (21); Memorial aud, Sacramento (22); Curran, San Francisco (24-1).

Ruth and Paul Draper—Locust, Philadelphia (24-1).

San Carlo Opera—State Teachers college, Tallahassee, Fla. (19); City aud, Jackson, Miss. (21); Muni aud, Shreveport, La. (22); Music hall, Houston (23-34); Liberty aud, El Paso (26); Philharmonic aud, Los Angeles (28-1).

'Sim Sala Bim' (Dante)—Hartman, Columbus (19-22); Hanna, Cleveland (24-1).

'Student Prince'—Grand, Chicago (24-1).

'There Shall Be No Night' (Alfred Lunt, Lynn Fontanne)—Curran, San Francisco (19-22); Biltmore, Los Angeles (24-1).

'Time of Your Life' (Eddie Dowling)—Ford's, Baltimore (19-22); Playhouse, Wilmington (24); McCarter, Princeton (25); Muni Aud, Springfield, Mass. (26); Bushnell Aud, Hartford (27); Shubert, New Haven (28-1).

'Tobacco Road' (John Barton)—National, Washington (19-22); Ford's, Baltimore (24-1).

Yiddish Public Theatre (Maurice Schwartz)—Forrest, Philadelphi (25-1).

$25,000 DAMAGE SUIT VS. MAURICE SCHWARTZ

Dramart Corp. filed suit yesterday (Tues.) in N. Y. supreme court against the American Jewish Players, Inc., and Maurice Schwartz seeking $25,000 damages for alleged breach of contract. An application for a temporary injunction is returnable today (Wed.).

Plaintiff claims that in October 1940 it set a deal with Schwartz and the Players to appear at the Public theatre, later changed to the Yiddish Art theatre, N. Y., until April, 1941. This month Schwartz notified plaintiff he intended to quit the theatre and to transfer his company to the Forest theatre, Philadelphia. Since 70% of the sales are advance sales, plaintiff will be forced to refund $8,000 up to April 17, it claimed, which will ruin it. An injunction against the transfer of the players, and $25,000 damages ar asked.

'Vanities' Unit Starts Tour

Hollywood, Feb. 18.

Earl Carroll trained for Minneapolis with 32 members of his 'Vanities' roadshow troupe to open 20-week tour of the midwest and east. Company includes 12 principals and 20 show girls.

Holyoke Players, under the co-operative management of Dorothy Crane, Lauren Gilbert, Walter Coy, Jackson Perkins, Joseph Foley, Louie Mudgett, Jean Guild and Carlton Guild, will operate the Mountain Park casino, Holyoke, Mass., this season, opening June 30. Group was formerly with the Farragut Players, Rye Beach, N. H.

'Father,' $14,000, Winds Up 1st Year In Chi; 'DuBarry,' 23G, 'Pins,' $8,300

Chicago, Feb. 18.

Harris relighted last night (Monday) with the road company of 'My Sister Eileen' and that makes five houses now operating. Current is the final session of 'Blossom Time' at the Grand, which has come through with surprisingly good business. The Shuberts are sending it out on the road for a spell. Replacing in the Grand on Monday (24) will be 'Student Prince,' and there is every indication that the Shuberts will run a series of musical revivals in town.

'DuBarry Was a Lady' continues to do powerful business, and the show, originally scheduled to finish its Chicago run on March 8, may stick until at least March 15. Following on March 17 is Dante's 'Sim Sala Bim' magic show.

On Saturday (15) occurred the celebration for the first anniversary of 'Life with Father' in Chicago. It continues to gallop along at a pace which is unique in show business. Oscar Serlin has the Blackstone until June 1, but that doesn't mean that June will be the end for 'Life with Father.'

Estimates for Last Week

'Blossom Time,' Grand (4th week) (1,200; $2.75). Revival is making its 10th appearance in town and will do five excellent weeks. Took good $8,500 last week.

'DuBarry Was a Lady,' Erlanger (8th week) (1,300; $3.30). Continues great and will probably go beyond its original March 8 date. Again smacked over $23,000.

'Life with Father,' Blackstone (52d week) (1,200; $2.75). Held anniversary celebration Saturday (15), with special party on stage and backstage after evening performance. Came up with brilliant $14,000 last session.

'Pins and Needles,' Studebaker (9th week) (1,200; $1). Selling out right along, with only price and capacity regulating the take, which was again fine at $8,300.

'HELLZ' SMASH $29,900 IN PITT

Pittsburgh, Feb. 18.

Nixon was a shambles last week, inside and at the boxoffice, too, as 'Hellzapoppin' rolled up a high legit gross here, grabbing an estimated $29,900. At $3.30 scale and with opening night sold to an outside organization for a benefit, that figure represents better than solid capacity of house, additional coin accounted for by scores of standees at every performance.

'Hellz' is staying for second week and is practically sold clean for the b.o. session. Opened here to an advance sale of better than $44,000, which meant there were few seats available at window after the revue got under way. Tickets were selling at a premium and what few specs managed to buy up brought more than double their advertised price. Town hasn't seen a riot like it since the old Ziegfeld days and 'Hellz' could easily stay a month and sell out for the run. Efforts are now being made to bring it back again later in season.

'FATHER,' 15G, MINUS OPPOSISH IN BOSTON

Boston, Feb. 18.

Nothing much to report from this way station except that 'Life with Father' is still packing 'em in at the Repertory. Now in its 21st week, it's enjoying free run of the town without any legit opposish.

Ruth and Paul Draper come in March 3 for a single week, followed by Elsa Lanchester in 'They Walk Alone,' by Max Catto, for a single week.

Last week 'Father' chalked up estimated socko $15,000. Two more stanzas to go, then off to Philly.

Dante 7½G in Indpls.

Indianapolis, Feb. 18.

Dante, at the English for a week starting Monday (10), proved that the town still goes for magic as in the days of Thurston's annual appearances by hanging up approximately good $7,500 in six evening performances and two matinees at $1.65 top.

Good exploitation helped, with time purchased on radio as well as display space in papers, plus gratis air interviews.

Woollcott-Dinner Does $18,300 in Balto 2d Wk.

Baltimore, Feb. 18.

In currently as the third of six plays promised under American Theatre Society subscription, 'The Time of Your Life' is at Ford's. Sixth return of 'Tobacco Road' is set to follow. Rest of calendar listing 'Five Alarm Waltz,' by Lucille Prumbs, due for a pre-Broadway opening under aegis of Everett Wile, at the indie-booked Maryland, March 3. Elia Kazan and Louise Platt in cast.

Second week of 'Man Who Came to Dinner,' at Ford's last week with Alexander Woollcott, held the rosy pace of its opening round, even topping that solid figure. Reached $18,300 after a socko initial count of $17,800, which is plenty of business for the 3,000 seats on hand.

LUNTS GET SMASH $30,000 IN FRISCO

San Francisco, Feb. 18.

Lunts drew estimated smash $30,000 in eight performances in five days at the Curran theatre. With the exception of a few $3 seats, house was almost a complete sellout.

'Maid in the Ozarks,' in its third session at the Alcazar, is continuing at a fast clip. Take of approximately $6,200 for the bawdy hillbilly show has prompted management to slice output of cut-rate passes to a minimum.

Midgets' Chiz

Continued from page 1

out charge, through subterfuge, and the following information is given with the thought that you might be on the lookout.

The theatrical vaudeville act is Paul Remos and His Toy Boys. The act is in charge of Paul Remos, and 'the Toy Boys' are two midgets.

'It is stated that, when Mr. Remos is approached by railroad representatives for the purpose of soliciting his business, he advises the railroad representatives that he has his transportation all taken care of. He then buys a ticket and a lower berth for himself, puts the two midgets, who are over 30 years of age, in grips similar to those which are used for handling dogs when carried on a train. He boards the train at the last moment, puts the bags in the berth, closes the curtain, and puts the two men to bed in the same lower he occupies. In the morning, he goes to the washroom, he buttons up the curtain, and after he has completed his toilet, goes back to his berth, and, behind the curtain, puts the two men into the dog bags, carrying them off the train when he reaches his destination.

'In a recent case, Mr. Remos attempted to secure transportation on this basis, and while he was in the washroom, the train conductor examined the berth and found the two midgets covered by blankets. When the conductor confronted Mr. Remos, the latter paid full fare for each of the midgets.'

Rise Stevens

Continued from page 2

in M-G's forthcoming filmization of Straus' operetta, 'Chocolate Soldier,' which, while under M-G control for some seven years, has been all this time in having its sundry rights cleared up, starting with the libretto original of G. B. Shaw, 'Arms and the Man,' and through its manifold linguistic adaptors and translators.

Miss Stevens is a Manhattanite whose photogenic 'Delilah' at a recent Metropolitan opera performance, focused Hollywood attention on her.

The benefit at Carnegie, despite the dominantly all-Viennese character of the program, was for Greek War Relief, Artists in Need and Bundles for Britain.

Incidentally, while Stolz and the Shuberts aren't particularly clubby, because of the recently ill-fated 'Night of Love' operetta, Stolz's refugee friend from Vienna, via Paris, Emmerich Kalman, has a forthcoming operetta slated for Shubert fall production.

Ballet Russe Terrific $23,200 In Toronto

Toronto, Feb. 18.

For the first time at Royal Alexandria, the 1,461-seater, with Ballet Russe, grossed estimated smash $23,200 at $3 top last week.

Upper floors were sold out days ahead and an extra Friday matinee was necessary. This was a sellout, too.

'Story' Big 21½G In Philly Despite Opposition Film

Philadelphia, Feb. 18.

Katharine Hepburn proved her point when 'The Philadelphia Story,' on its third visit here and facing the opposition of the film version, grossed $21,600 in its single week at the Forrest. The Philip Barry play has played four weeks here in all and all of them were close to capacity. It wound up its tour with the closing here Saturday (15).

The other show of the week, 'The Male Animal,' stepped off to lively trade in the first of two weeks at the Locust Street theatre, hauling in over $15,000.

At the last minute, Playwrights decided to bring the Ina Claire-Philip Merivale vehicle, now 'The Mechanical Heart,' into the Forrest for a final week's conditioning. It opened last night (Monday). Next Monday (24), the Locust gets Ruth and Paul Draper. Maurice Schwartz arrives at the Forrest for 11 days of repertoire, although first week will be entirely devoted to one show, 'Sender Blank.' The Walnut's relighting with 'Life With Father' is now definitely set for March 3, with 'The Man Who Came to Dinner' due March 10.

Estimates for Last Week

'Philadelphia Story,' Forrest (one week only) (1,800; $2.85). Third visit and bucking film, but lived up to Miss Hepburn's hopes, getting fine $21,600. 'Mechanical Heart' this week on short-notice booking.

'Male Animal,' Locust (1st week) (1,500; $2.85). Fine start for this one with better than $15,000 and should do as well in second and final week.

CHATTERTON'S $11,000 FOR 8 SHOWS IN L. A.

Los Angeles, Feb. 18.

Ruth Chatterton wound up six-day engagement of 'Pygmalion' at the Biltmore (15) garnering estimated okay $12,000 on six nights and two matinee performances. House dark this week, with Alfred Lunt and Lynn Fontanne moving in Feb. 24 for two weeks in 'There Shall Be No Night.'

Heavy advance indicates Lunts will play to capacity during brief sojourn.

'Life,' in Delayed Wash. Date, Gets Great $19,700

Washington, Feb. 18.

'Time of Your Life,' expected early in local ATS season and cancelled, thus setting off two months of troubles for Capital subscription series, came through last week and packed the National for approximately $19,700 at $2.75 top. Figure got around the maximum for subscription show.

Current is 'Tobacco Road,' with John Barton. Show is playing its seventh local engagement and selling at $1.65 top. Next week (24) it's Alexander Woollcott in 'Man Who Came to Dinner' for two-week run.

'Eileen' 6G in Buffalo

Buffalo, Feb. 18.

Opening cold at the Erlanger, following New York dress rehearsals, Chicago company of 'My Sister Eileen' started from scratch at the b.o., due largely to provincial ignorance of source material and of hit proportions of N. Y. original.

Aided by excellent local notices and verbal advertising, as well as plug in current issue of 'Life,' takings built to $6,000, okay for here in four-day stay.

Guthrie McClintic is considering production of a play by Margaret Curtis, actress in 'The Doctor's Dilemma,' with Katharine Cornell. Piece is her first writing attempt.

B'way B. O. Mixed; 'Lady', 'Hattie', $32,000, 'Corn', $20,000, All Big, But Wynn, 14G, Off, 'Claudia' Looks Good

Estimates for Last Week

Key: C (Comedy), D (Drama), R (Revue), M (Musical), F (Farce), O (Operetta).

'Arsenic and Old Lace,' Fulton (5th week) (CD-938; $3.30). Some shows have been easing off, but it is S.R.O. at all performances for sock laugh show; close to $17,000.

'Boys and Girls Together,' Broadhurst (20th week) (R-1,150; $4.40). One of the shows that has been slipping; last week down around $14,000; decision by Ed Wynn to drop the top may have had some effect; goes to $3.30 next Monday.

'Boudoir,' Golden. Stopped Saturday after playing one week and two days; got nothing after being panned.

'Cabin in the Sky,' Martin Beck (17th week) (M-1,214; $3.30). Final three weeks announced for colored musical, then going on tour; Sundays helped keep it here for past month, but weekly take of around $12,000 hardly enough.

'Claudia,' Booth (1st week) (CD-712; $3.30). Looks like new success and easily best thing in weeks; good press with a dissenter or two; opened middle of week, getting over $6,000 in five times; big Saturday matinee; indications are for more than $12,000, plenty okay for one-setter.

'Crazy With the Heat,' 44th St. (3d week) (R-1,325; $3.30). Somewhat improved, though not as much as hoped for; takings approximated $12,000; now playing two performances Sundays, which may help further.

'Flight to the West,' Guild (7th week) (D-956; $3.30). One more week to go; attendance did not climb as expected; gross slightly over $6,000; will not tour until next autumn.

'George Washington Slept Here,' Lyceum (17th week) (C-1,004; $3.30). Picked up several hundred dollars and still credited with turning some profit; around $8,500.

'Hellzapoppin,' Winter Garden (126th week) (R-1,671; $3.30). Business something to wonder about; laugh revue getting plenty of business including strong Sunday nights; estimated at more than $24,000.

'It Happens on Ice,' Center (19th week) (R-3,087; $2.75). Another attraction that gets big money Sunday night; matinee now added; one of the shows with midweek weakness; rated over $30,000.

'Johnny Belinda,' Longacre (22d week) (D-1,016; $3.30). Somewhat better than estimated and engagement is slated indefinitely; quoted at better than $7,000.

'Lady in the Dark,' Alvin (4th week) (M-1,357; $4.40). Getting all the house will hold plus standees, gross topping $32,000; nothing on list getting better money.

'Liberty Jones,' Shubert. Closing Saturday (22) after playing two and one-half weeks; shortest stay for Theatre Guild attraction; play with music only $8,000 first full week.

'Life With Father,' Empire (66th week) (C-1,005; $3.30). Hardly affected by newer laugh shows and virtually sells out all performances for gross count around $18,000.

'Louisiana Purchase,' Imperial (38th week) (C-1,450; $4.40). Considering the nearly nine months run to date, attendance is excellent; little off last week when the gross was estimated at $27,000.

'Man Who Came to Dinner,' Music Box (70th week) (C-1,013; $3.30). Went up again and still counted on to last out second season; well over $11,600.

'Meet the People,' Mansfield (8th week) (R-1,000; $3.30). Has been well publicized, but business not up to expectations; hopeful of upping the gross by playing matinee and night on Sundays; under $9,500.

'Mr and Mrs. North,' Belasco (5th week) (C-1,000; $3.30). Looks like a moderately successful grosser; improved from starting pace with grosses flirting with the $10,000 level.

'My Sister Eileen,' Biltmore (8th week) (CD-991; $3.30). Early winner click is selling out right along and should be summer stayer; quoted over $16,500.

'Old Acquaintance,' Morosco 8th week) (C-939; $3.30). Mondays are out and now playing three matinees; strongest in afternoons from start; around $11,000; should play well into spring period.

'Out of the Frying Pan,' Windsor (1st week) (C-873; $3.30). Drew mixed notices and business light after debut; first seven performances n.g.; around $4,000 but strong Saturday encouraging.

'Pal Joey,' Barrymore (8th week) (M-1,104; $4.40). Matinees building; nights capacity right along and grosses top $22,000; another show that looks to be cinch for summer holdover.

'Panama Hattie,' 48th St. (16th week) (M-1,347; $4.40). Leadership challenged by 'Lady' in the Dark,' but gross unaffected; always has standees, with gross bettering $32,000.

'Popsy,' Playhouse. Was taken off last Wednesday after playing four times; management figured show could not survive bad press.

'Separate Rooms,' Plymouth (47th week) (C-1,107; $3.30). 'The Doctor's Dilemma,' slated here soon, but run laugh show making money both ways; takings of this one-setter again close to $9,000.

'Tanyard Street,' Little (2d week) (D-530; $3.30). Appears to have small chance; takings down very low; estimated under $2,500.

'The Corn Is Green,' National (12th) D-1,162; $3.30). Different here; British drama drawing capacity attendance and primed for clean-up; approximates $20,000, great.

'Tobacco Road,' Forrest (374th week) (C-1,107; $1.10). Road company bettered $20,000 in midwestern one-nighters; New York outfit around $4,000, but to some profit; difference marks show as freak success.

Revivals

'Twelfth Night,' St. James (12th week) (D-1,526; $4.40). Last three weeks, going on tour March 10; was boxoffice draw from start; around $15,000 last week.

'Charley's Aunt,' Cort (18th week) (C-1,064; $3.30). Was underestimated; getting better money than some other shows; quoted at $9,600 last week; gross quite all right for this one.

Added

Ballet Theatre, Majestic. Other ballets may have taken edge off this one, which did well here last season; in for limited stay; light after preem, but okay at weekend.

Name Concert Dates

(Feb. 19-26)

Walter Damrosch — With Philharmonic-Symphony, Carnegie hall, N.Y. (20-21).

Nelson Eddy—Aud, San Antonio (20); Aud, Beaumont, Texas (25).

Jascha Heifetz—Academy of Music, Philadelphia (20); Constitution hall, Washington (23); Metropolitan Providence (25).

Josef Hofmann — H. S., Winter Park, Fla., (23).

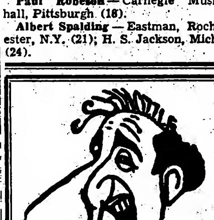
Jose Iturbi — With Philadelphia orch. Academy of Music, Philadelphia (21,22,24); with Philadelphia orch, Carnegie hall, N.Y. (25).

Marjorie Lawrence—Carnegie hall, N.Y. (21).

Lotte Lehmann—Festival, Columbia, S.C. (21).

Paul Robeson—Carnegie Music hall, Pittsburgh (18).

Albert Spalding — Eastman, Rochester, N.Y. (21); H. S. Jackson, Mich. (24).



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Deny PM's 'If' Notice

Reports that Marshall Field III has provided PM with enough coin to last through May, and that unless the new daily is self-sustaining by that time it will fold, were denied in various quarters this week. It was admitted by one source, however, that May has been set by Field for a 're-examination' of the situation to see at that time 'what the paper gives promise of.'

Publisher Ralph Ingersoll, in denying the report, declared that Field has set no date by which PM must support itself 'as long as it continues to move satisfactorily towards that goal, as it is doing.' Field has made clear, Ingersoll said, that he is not 'endowing' the sheet.

PM circulation, the publisher asserted, is above the 100,000 mark, hitting 130,000 occasionally, depending upon what it offers any particular day. It must reach 200,000 to be self-supporting without paid advertising. Number of changes recently, it was said, have reduced expenses by almost one-half. Principal saving has been in production methods, including the cut to one edition daily, instead of the former three. Staff cuts have also helped.

Feared slide in circulation with the inauguration of the single edition coming out about 9 a.m. has not materialized, Ingersoll asserted, and there has actually been a slight upturn. This is because distribution is more efficient, papers are on the stands more hours of the day and the paper is better edited because the staff can put in 16 hours of continuous work on it instead of the two or three hours between editions.

Heaviest losses were taken last August, it was said, when circulation hit its low. Since then it has crawled up and economies have been instituted to make income more nearly approximate expenditures.

Ben Robertson, sheet's London correspondent, who has been in the U. S. for about six weeks, returns to England by boat on Saturday (22).

British Writers Hypo Output

Apparently accustoming themselves to the conditions and difficulties of war, British novelists are said by New York agents and publishers to be resuming work on a large scale. While until recently the flow of manuscripts to the United States from Britain was slowed to a trickle, it is now beginning to regain some of its pre-war proportions.

Some of those from whom yarns have recently been received, or who have at least communicated that they are working on books, are V. Sackville-West, Richard Llewellyn, Sir Philip Gibbs, Elizabeth Bowen and many others. Output, however, can be on no regular basis, as the authors get in work when they can, but are frequently delayed from a few hours to a few weeks by bombings or requirements by the government on their services.

'Jervis Bay' Published

'The Jervis Bay Goes Down,' lengthy poem by Gene Fowler, which was recited on the air recently by Ronald Colman, is being published in book form by Random House. Author's royalties and all of the publisher's profit from the small volume are being donated to the Bundles for Britain fund. Book is being sold for 50c., H. Wolff, New York, the printers, having produced it at cost.

Fowler dedicates the volume to Eddie Mannix, Metro's studio exec., who is a close personal friend.

Ask SEPost Ban in Canada

A ban on the Saturday Evening Post in Canada was asked by the Windsor (Ontario) Common Council in a resolution passed last week. The Council wired to the Dominion Government urging that the circulation and sale of the Post throughout Canada be banned at once.

Controller Cyril Cooper, in presenting the resolution, passed unanimously by the Council, charged that 'anti-British' material constantly was appearing in the magazine. 'The continual presentation of such destructive material is an affront to every true Britisher and a potential danger to public morale,' he declared.

Alderman J. A. Kennedy also asked that the Detroit Free Press be added to the resolution, but Cooper declared he wasn't familiar with the newspaper, which has a wide circulation in the Windsor area. Kennedy said, 'The Free Press is worse than the Post because it comes out oftener.'

PM Alumni Starts U. S. Week

U. S. Week is the name of a new national weekly newspaper to be published in Milwaukee, starting about April 1, with Doris Berger Hursley, daughter of the late Socialist congressman Victor L. Berger, as editor. Staff is largely recruited from ranks of erstwhile employes of PM, New York tab daily. Richard O. Boyer will be associate editor. His wife, Sophie, former head of the League of Women Shoppers, will be an editorial assistant. Marion Bachrach, also from PM, will manage eastern bureau, and Leo Huberman, former PM labor editor, will also be on staff.

U. S. Week to be 'liberal' and is being financed by the William E. Dodd foundation. Dodd's son, William, Jr., will be a contributor.

B'klyn Eagle-Post Merger Off

The Brooklyn Eagle, in a page one box yesterday (Tuesday) revealed that its projected merger with the New York Post is cold. Box, headed 'An End to Rumors,' read:

For some weeks there have been rumors of a proposed merger between the Brooklyn Daily Eagle and the New York Post. Some of the stories had some merit in fact; others were quite fanciful.

There has been a consideration of the possibilities of such a merger between George Backer, Publisher of the Post, and myself. We have definitely come to the conclusion that to put the two papers together would not be journalistically sound. The idea has been abandoned.

The Brooklyn Daily Eagle will strive to continue to improve upon its service to this community, and to this community alone.

Frank D. Schroth,
Publisher.

80G Lost on Stage Mag

Stage magazine, folding after publishing four issues, has run through $80,000, publisher Alexander Ince said yesterday (Tuesday). Coin was provided by a number of European picture and financial friends of Ince (he's Hungarian, name originally Incze Sandor). Gilbert Miller and his father-in-law, Jules Bache, are also said to have been interested along with William Rhinelander Stewart, who was president of the publishing company.

Money, Ince declared, went into preparation of plans for the mag before it was published, and later into production costs and promotion. It carried a moderate amount of advertising for a new publication. Ince said he hopes to start again after a financial reorganization,' possibly in May, but probably not until next September or October.

This was the second version of Stage to fold, the original dropping out of the picture some years ago.

Fingerprint D. C. Newsmen

Washington's correspondents got a taste of wartime regulations when scores of reporters were herded into a basement of the White House and photographed and fingerprinted (Feb. 5) by the FBI. When the newsmen beefed about the long wait in line, the Bureau increased the number of employees taking the identification and warned those who yelped loudest about being fingerprinted that unless they were willing to submit they would not be allowed into the War or Navy Department offices.

Restrictions had been on for weeks in these departments, but reporters were allowed to interview officers with White House cards when accompanied by a guard.

'Sodom By the Sea'

'Sodom By the Sea,' the saga of Coney Island, will be published by Doubleday-Doran this summer. It's by Oliver Pilat, of the N.Y. Post, and Jo Ranson, radio editor of the Brooklyn Eagle.

It's the most complete story of the amusement area which holds the record of having grossed more from pleasure-seekers than all other amusement parks the world over bunched together.

'Coney Island,' a novel by Homer Croy, written some eight years ago, eliminated usage of that title. Pilat-Ranson's work is a factual history.

$500,000 Libel Suit

Angelica Balabanoff, who claims she is 'internationally known Socialist and author,' has filed suit against Macfadden Publications, Inc., Fulton Oursler, editor, and Frederick L. Collins, author, claiming she was libeled in the October, 1940, issue of Liberty. It was intimated plaintiff had borne Mussolini a child, story having been written by Collins.

Damages of $500,000 are sought.

Dee Lowrance Joins NEA

Dee Lowrance has resigned as fashion editor at Paramount Pictures and will write fashions and special features for Newspaper Enterprise Association.

Paul Harrison's NEA column from Hollywood is presently being done by his wife, Lucie Harrison, while he is covering national defense activities on a swing around the country.

American Home Rechartered

The American Home Magazine Corporation, New York, has changed its capital stock from 5,000 shares to 4,000 preferred at $100 par value, and 1,000 common at no par value, to $300,000, $1 par value.

Beekman, Bogue, Stephens & Black are the attorneys.

LITERATI OBITS

Gordon Mackay, 63, former sports editor of the Philadelphia Record, died Friday night (14) at the Trenton hospital, Trenton, N. J., after an illness of 18 months. One of the nation's best-known sports writers, his career covered 45 years on newspapers in all parts of the country. He broke with the Boston Post and successively worked on the Boston American, Christian Science Monitor, Philadelphi Press, Inquirer and Record. His last job was as columnist for the Camden (N. J.) Courier-Post. He covered Pershing's Mexican expedition and interviewed Peary on his return from the North Pole. He was buried yesterday (Tuesday) in Camden.

Odell Hauser, 54, Philadelphia newspaperman, died last Monday in a hospital in that city. Born in New York, he served as assistant drama critic on the New York Times, was editor-in-chief of the Norristown (Pa.) Times Herald and political editor of the Philadelphia Press and Public Ledger. Up to his illness he was assistant in charge of public relations of the Philadelphia Electric Co.

William S. Allen, 62, telegraph editor of the Fitchburg (Mass.) Sentinel and formerly connected with the Boston bureau of the Associated Press, died Feb. 15 in Fitchburg.

Bart B. Howard, 69, editorial writer for the St. Louis Post-Dispatch and last year's Pulitizer prize winner for distinguished editorial writing, died of a heart attack Feb. 12 at his apartment in a St. Louis hotel.

Frederick A. Kaufmann, business manager of the Jersey Observer, a Hoboken (N. J.) daily, died of a heart attack Feb. 12 while working at his desk in the Observer office. For 41 years he had been an employee of the paper.

John A. Holden, 85, one of the founders of the Bookseller's League and retired business manager of the R. R. Bowker Co., publishers of the Publisher's Weekly and the Library Journal, died Feb. 12 of pneumonia at his home in Mt. Vernon, N. Y.

Howard R. Bangs, 50, veteran newspaperman and editor of the old York (Me.) Transcript, died Feb. 11 in York Village, Me., after a year's illness. He was a son of the late humorist, John Kendrick Bangs.

Troy I. Jones, 54, conductor of a humor column that appeared in several North Carolina newspapers, died at Silas Creek, N. C., recently.

Maj. Bruce Craven, 59, former editor of the Winston-Salem (N. C.) Journal, died Jan. 25 of a heart ailment.

Charles R. Kendall, 72, who worked for the Greensboro (N. C.) Record before going to Florida to operate the New Smyrna (Fla.) Breeze and the Palm Beach (Fla.) Tropical Sun, died Feb. 3 at Greensboro, N. C.

CHATTER

Coward-McCann, Inc., has been chartered to conduct a printing-publicity business in New York.

Thelma Strabel, whose 'Reap the Wild Wind' was one of last season's best-selling novels, has returned to New York from Florida and is at work on a new serial for American mag.

Marie Sale completing revisions on a biography of her late husband, vaudeville and film comedian 'Chic' Sale, whose 'The Specialist' became a humorous classic. Title for the book hasn't been selected.

Ben Robertson, English correspondent for PM who last month signed a contract with Alfred A. Knopf for publication of a book on his observations in wartime Britain, has just delivered manuscript to the publisher, title 'I Saw England.'

Night Club Reviews

Continued from page 44

Minnesota Terrace, Mpls.

calls for restraint, the Arnheim gang seems very much at home. Unlike some of the outfits recently spotted here, this ork resents nowhere the extreme blasting which, a comparatively small and low-ceilinged room, makes more for pandemonium than music, and its modulated melodies draw a warm welcome.

In addition to conducting the orchestra and emceeing the show, Arnheim takes a turn at the piano to rattle off a few bars, including such of his own compositions as 'Sweet and Lovely,' 'I Cried For You' and 'I Surrender, Dear.' Floor show adheres to the usual Terrace formula—a topnotch dance team and vocalists. Katherine Joyce, the band's youthful singer, handles her pop numbers acceptably and Andy Russell and 'Mac' Stone, drummer and trumpeter, respectively, step down from the platform for some warbling which evokes a satisfactory response. Russell devotes himself to romantic ballads while Stone takes a fling at comedy numbers, which constitute the band's sole ribtickling efforts.

A highly attractive couple whose voices blend nicely, Marshall and Shields do a good sales job on a 'Show Boat' medley, 'I'm Falling In Love with Someone' and 'Donkey Serenade,' the pair's charm, as well as their vocalizing, helping to put over these genteel numbers even at a late hour, when lively swing might have seemed more sure fire.

Theodore and Denesha, Latin-type dancers, work fast and effectively, putting plenty of zip into the proceedings. To an applause accompaniment from the guests, they perform difficult Argentine arts and breath-taking acrobatic lifts and spins. A fast conga with plenty of twirls is a standout.

Virginia Sanford is a character reader and the Murray Dancers illustrate and teach the newest steps. *Rees.*

BEACHCOMBER

(CROWN HOTEL, PROVIDENCE)

Providence, R. I., Feb. 9.
Chico Simone's band (6), *John Gonzales, Luis Torres Dancers* (4), *Gloria Belmonte, The Continentals* (5).

Since Ruby Foo took over the Beachcomber, spot has been kept essentially the same and is still getting a heavy play-in.

Chico Simone and his conga-rhumba band has held over since the opening and is set for some time. Their rendition of Latin tunes has struck the fancy of local devotees. Simone plays a fair accordion, doubling from baton wielding. His singer, John Gonzales, vocalizes 'Havana for a Night' only so-so.

Luis Torres' conga-rhumba dancers (4) present the usual hip-wiggling specialties of the Latins, but show little new in the routine. Gloria Belmonte, pint-size in comparison with other members of the troupe, packs plenty of personality in her presentation of a Spanish peasant dance. Her work with the castanets is also good.

Bill Morton, local boy and assistant manager, does a straight mc. The Continentals fill in during the Simone crew's breather.

Spot has also incorporated several special features, among them Friday Celebrity Nights, at which visiting members of the press and radio who may be in town drop in and take part in the show. A regular Sunday afternoon swing session is also gaining quite a following. ——— *Malo.*

BLUE ROOM, N. O.

(HOTEL ROOSEVELT)

New Orleans, Feb. 15.
Ozzie Nelson Orch, Harriet Hilliard, Roseanne Stevens, Dolores Gay, Betty and Freddy Roberts, The Three Ryans.

Ozzie Nelson and crew fit nicely in this swank nitery where the customers are as concerned over the quality of their music as the food and drinks. It was a three-fold Valentine Nelson presented to this full house—his pretty wife, Harriet, an aggregation of neat-looking musicians for the femmes and a repertoire of swing and sweet tunes which the band played with equal ease. The boys had little trouble keeping the dance floor crowded.

Orch on the whole is well balanced and versatile, mixing Latin melodies with sweet stuff and orthodox swing numbers. Nelson batons the show nicely. The layout, while modest in quantity, makes up for any deficiency in this respect by being high in entertainment.

Miss Hilliard, looking trim and pretty in a powder-blue evening gown, opens with a novelty ditty with her husband in which she pledges her allegiance to the band and follows up with 'I Ain't Got Nobody' and 'My Heart Belongs to Daddy.' However, while above the average of the usual nitery warbler, she was a little below her own par when caught at the opening.

The band's Roscanne Stevens, vocalist, looks, sings and acts like the original jitterbug. Her songs got nice response and she follows through with a hot jam session with one of the boys in the band to click strongly.

Dolores Gay, blonde looker with a nice chassis, billed as 'The World's Fastest Tap Dancer,' beats a rapid tatoo with her feet to get plenty of palm pounding from the customers. Her routines, however, are too similar.

Better on the torrid Latin selections than on the dreamy pieces are dance team Betty and Freddy Roberts. Especially noteworthy is the femme's illusion of dancing without her feet once touching the floor. Team got big hand.

The slapstick antics and acrobatics of the Three Ryans netted plenty of laughs, but jokes were feeble.

Maestro and aggregation lend fitting climax to the show with a novelty number in which they step into the role of a jukebox, responding to the requests of all types—the jitterbug, the old maid, the drunk, the sentimental soul—and close with 'God Bless America,' for the patriot, to get big response.

Band provides excellent background for acts in addition to playing well for hoofing. *Lluzza.*

Supervises AGVA

Continued from page 43

and one of the Griffin brothers operating the N. Y. Inquirer, Sunday paper, has been a member of AGVA's national board virtually since the union's formation a year and a half ago. He is sitting as temporary adminstrative head in place of Barto and Haddock without salary. He also takes Haddock's place as AGVA's rep at Theatre Authority, the Four A's and the Central Trades and Labor Council.

While it will be up to a national board, picked in the coming election, to appoint a permanent executive secretary, it's possible the joint administrative board will appoint a temporary executive secretary to fill in for the time being. Those on the administrative board from the Four A's are Jean Greenfield, chairman of the Four A's; Ruth Richmond, Chorus Equity; Walter Greaza, Actors Equity; Florence S. Marston, eastern representative of the Screen Actors Guild and Emily Holt, of the American Federation of Radio Artists. Griffin, Joe Smith (and Dale), Dave Fox, Hal Sherman, Prof. Maji, Bob Edwards, Alan Corelli and others are sitting in for AGVA.

Following the meeting at the Four A's last Thursday (13), Frank Gillmore, president of the parent body, issued a statement regarding AGVA, which read in part:

'The Four A's is deeply concerned with the confusion and differences of opinion in AGVA of recent months, and its desire for the continued successful operation of AGVA and its intention to afford full and hearty cooperation with the AGVA membership is evidenced by the committee which will administer AGVA's affairs in the interim period.'

Variety Actors Betterment

Meanwhile, still another element injected itself into AGVA affairs. An organization called the Variety Actors Betterment Campaign Committee, evidently headed by Murray Lane, sent out a statement signed by Lane which reads:

'The executive board of the Variety Actors Betterment Campaign Committee (which represents 4,500 performers in the vaudeville and night club field) today (Friday) voted the following statement on the situation confronting the American Guild of Variety Artists following Hoyt Haddock's discharge as executive secretary:

'We demand that the new AGVA executive secretary be elected by a national vote of the entire membership instead of being appointed by the National Board with the approval of the Associated Actors and Artistes of America as were the past four AGVA secretaries;

'We demand that elections of the New York AGVA local be held on the grounds that the elections last year lacked a quorum and included challenged votes and miscounts;

'We demand that the AGVA be given true autonomy, as are the other branches of the Four A's, with the AGVA run by American Actors for American Actors.'

Lane, working in concert with Lou Taylor and Sid Williams, is alleged to be part of a faction said to desire the return of Ralph Whitehead to vaude-nitery unionism.

Broadway

Sam McKee ailing again.

Wally Downey in U.S., back from Rio de Janeiro.

Moss Hart returning from Palm Beach this week.

John Fearnley, legit actor, to Coast for month's vacation.

Ellin and Irving Berlin to Miami Beach on a holiday.

Dick Maney being bioged in N.Y. Times by Jack Gould.

Jack Kapp, Decca Records prez, becoming quite an antique collector.

John Golden and Walter Vincent join showmen vacationing in Florida.

John Kershaw, said to have been a valet to David Belasco, died last Saturday.

Ben Miggins, 20th-Fox European manager, back from brief vacation in Florida.

Harry M. Goetz to the Coast at the end of the month on combo vacation-business trip.

Annual dinner-dance of Columbians, h.o. Col club, at the Waldorf Saturday (22).

Dr. Emanuel Stern, company physician for Paramount, laid up in French hospital.

Benjamin Glaser, Metro scrivener, returning to the Coast after week o.o.'ing New York.

Joe Shea has joined the public relations department of the film division of General Motors.

Helen Hoerle agenting 'Fantasia' in Pittsburgh; William H. Chamberlain, company manager.

A. G. Rudd, manager for Newsreel Theatres and assistant to W. French Githens, prez, bedded by flu.

Russell Holman, Paramount's eastern production rep, down with the grippe for several days last week.

Philip Faversham has joined the American-English ambulance drivers corps, sailing for South Africa soon.

Ed Fishman (William Morris agency) to the Coast this week to headquarter there, supervising bands.

Though back on the job, Sam Dembow, Jr., won't be able to throw away the crutches for several weeks.

Austin C. Keough, Par's general counsel, who was downed by the flu for two weeks, recuperating in Florida.

Emil Velazco, the organist, resident of Woodside, L. I., in voluntary bankruptcy. Owes $6,306; no assets.

Lou Pollock, Universal eastern ad-publicity director, vacationing in Florida, scheduled to return to N. Y. Feb. 24.

Bill Scully, Universal sales chief, left for Miami Friday (14) for two-week vacash following Chicago convention.

Harry (Feist) Link back from Coast last week, and under the weather.

William Grady, Coast talent head, in town, seeking a Spanish dance team for Metro's filmization of 'Panama Hattie.'

Lily Pons to Miami Beach for month's rest. Husband Andre Kostelanetz commuting by plane four days a week.

Radio City bowling alleys get a big pix exec turnout Saturday afternoon. David Loew and Jake Milstein unofficial champs.

All the wacky gags have become 'psycho-analysis' quips now—the 1941 switch since the click of Moss Hart's 'Lady in the Dark.'

Sam H. Harris chairmaning big gala for British War Relief in Palm Beach Feb. 24, for which many acts are going there from N.Y.

Lynn Farnol returned Monday (17) from Hollywood confabs. He's opening freelance publicity offices with Sam Goldwyn as first client.

Jack Miles, prez of Western Theatre and Allied Theatre circuits in Winnipeg, was in New York over the weekend on his way to Florida.

Martha Sleeper, legit-film actress married last week to Harry Dresser Deutschbein, told friends she is permanently retiring from show biz.

Major Frederick L. Herron, head of Hays office foreign department, back to office for a few hours late last week after being downed by flu.

Sonny Werblin, MCA v.p., back in harness, after seven months' enforced inactivity through illness, is limiting his nocturnal schedule of rounds.

Carol Bruce's work in 'Louisiana Purchase' got intensive o.o. from Universal producer Bruce Manning, while east, as U has songstress under contract.

Bob (Mirror) Coleman banged into an open desk drawer and reopened old war wounds, causing him to hobble around to cover the legit openings.

Ira Genet, Warner Bros. shorts director, and his wife, Georgette Carneal, have co-authored a play. Latter east to huddle on a Broadway production.

Doris Sanders, former sec in RKO Coast production offices, temporarily subbing in eastern publicity department due to illness of her father in New York.

Wife of Joey Jacobson, operator of the Chez Paree, Chicago, is on the mend following an operation at St. Luke's hospital, N.Y., recently. Hubby's close by.

Charlie Adler's son, Edwin, 22, now a student flyer with the U.S. Army. Adler (Yacht Club Boys) now owns The Tavern with George Kelly, also formerly of the act.

Alan Collins, chief of the Curtis Brown agency, returned to his desk yesterday (Tuesday) from two weeks' special training in New York with the U. S. Naval Reserve.

Pan-American Press Club, recently organized with Maria M. Garrett, of Warner Bros. foreign publicity staff, president, holds its first inaugural ball at the Ritz-Carlton Feb. 24.

Cynda Glenn to Miami, opening at the Olympia and probably also into a local or Havana nitery. This forced setting back a commitment at the Versailles, N. Y., until next month.

Humphrey Doulens, just back from southern tour with Lily Pons, for Columbia Concerts, left Monday (17) to handle Nelson Eddy's concert dates through the south for three weeks.

Julian Eltinge will be feted Thursday night (20) at Billy Rose's Diamond Horseshoe, where he has been appearing for the past 10 months, in commemoration of his 35th anniversary in the theatre.

Arnold Grass and L. C. Pani, brother of Joe Pani, who had the Petroleum Bldg. restaurant at the Fair, have their own Cafe Arnold in the new building project at Columbus Circle.

Gabriel Pascal had tea at the White House last week with Mrs. Roosevelt and sent print of his British-made 'Major Barbara' to Washington for a screening for the President on Sunday (16).

Alexander Korda due Friday (21) with a print of 'That Hamilton Woman.' Steve Pallos, his eastern rep, who has been vacationing following Coast huddles, will be back tomorrow (Thursday).

Msgr. Fulton Shean's broadcast plug for Walter Winchell's 'Broadway Alien' ('Distaff Side') column has inspired film bids from Warners and Universal for screen rights to that particular column.

Lindy was ribbed all last week as being a stage-struck restaurateur because of his tonight's (Wed.) radio guest-shot with Fred Allen. The maestro of Nova Scotia and herring got a terrific workout from the Broadwayites.

Minneapolis

By Les Rees

Jascha Heifetz here for concert.

RKO sales staff to Chicago for meeting.

University of Minnesota Playhouse offering 'Lilliom.'

Eddie Stoller, United Artists' booker, engaged to wed.

'DuBarry Was Lady' tentatively set for Lyceum next month.

Mother of Gordie Greene, veteran theatre manager, passed away.

Annual Sportsmen's show scheduled for Auditorium in April.

Bennie Berger, independent circuit owner, back from Florida and Cuba jaunt.

Ben Friedman, independent circuit owner, spending few weeks at Hot Springs.

Abe Kaplan, independent circuit owner, around again following minor operation.

Morrie Abrams, M-G exploiteer for many years, on Welworth circuit assignment.

Willard Greenleaf, Devils Lake, N. D., showman, in Rochester, Minn., for Mayo clinic checkup.

John J. Friedl, Minnesota Amusement company president, back from month's vacation at Miami.

J. L. Stern, independent film distributor, bought Mohawk theatre, St. Paul, from Charles Christian.

Harry Hirsch and Harry Katz, reopening Alvin with stock burlesque Feb. 28, have Ann Corio as initial guest star.

Earl Carroll's 'Vanities' at Orpheum presented Mayor George E. Leach with orange tree shipped here from California.

Warren Branton resigned from National Screen to replace Harold Lyons on 20th-Fox sales' staff, latter being transferred to Des Moines.

Bill Scholl, RKO exploiteer, transferred to eastern central district at Cleveland and will be succeeded here by Eddie Rivers from the Coast.

Shriners' annual winter indoor circus at Auditorium March 3-8 to be topped by Terrell Jacobs, with his trained lions and tigers, and Zacchini, human cannonball.

Roy Pearce, Fox theatres' city manager, up from Milwaukee to catch Carroll's 'Vanities' at Orpheum here prior to show's engagement at Wisconsin theatre in his town.

Susanna Foster and Dolly Loehr, from 'Hardboiled Canary' film, here for invitation preview at which Dr. T. P. Giddings, local schools' music director for 30 years, was honored guest. Latter was co-founder of Michigan young people's camp, picture's locale.

Clyde McCoy's trumpet will be pitted against Louis Armstrong's here next week when the McCoy and Armstrong bands oppose each other at the Orpheum and Minnesota, respectively. 'International Revue'—follows Clyde McCoy's band into Orpheum week after next.

Paris

Legit doing much better at b.o. in Paris than filmers because people not interested in old films or German productions, and Yankee picts cannot be had.

Gaby Morlay, Francoise Rosay, Jean Marsac, Pascal, Jean Pierre Aumont, Jean Wall, Assia, Fernandel, Josephine Baker successfully touring free zone in legit and revues.

French paper says Danielle Darrieux may soon follow compatriots Charles Boyer, Rene Clair, Jullen Duvivier and Michele Morgan to Hollywood. Article says Mlle. Darrieux finally accepted tempting offer made by one of the Yank companies.

New French picts released in Paris—first since Armistice: 'Campement 13,' megged by Jacques Constant, at the Aubert Palace; 'Monsieur Hector,' with Fernandel, at the Max Linder; 'Le Grand Elan,' megged by Christian Jaque, at the Olympia; 'Le Paradis Perdu' ('Lost Paradise'), directed by Abel Gance, with Fernand Gravet and Micheline Gravey, at the Marivaux; 'Becassine,' at the Paramount. Old film to make reappearance: 'Angelica,' with Viviane Romance and Georges Flamant at the Gaumont Palace.

Buenos Aires

By Ray Josephs

Show world getting set for carnival season.

Mark 150th showing of 'Departmanto de Senoritas' ('Apartment for Girls'), by Juan F. Moreno Rojas, at the Comedia.

Featured in new show at the Tab-a-Ris are Anita del Rio, Marianna, Lilian Goldwin, Les Scotti, Dolly Verger and Ballet Arno.

Special performance at Teatro Nacional of Samuel Eichelbaum's 'Un Guapo del 900' ('The Valiant of the 900'), which won the Comision Nacional de Cultura prize.

Big turnout at session honoring third anniversary of the death of Enrique Garcia Velloso, playwright, first president and long active in the Casa del Teatro (House of the Theatre), showfolk organization.

Ulises Peit de Murat and Homero Manzi, writers adapting 'Tierra en Armas' ('Land in Arms') for screen, off to Salta to get additional color and background from author Juan Carlos Davalos. Mario Soffici will direct pic for Pampa.

Vacationers include Nora Cullen at Dolores; Carmen Valdes in Salsipuedes; Mercedes Simone in Montevideo; Ada Falcon in Mar del Plata; Berta Singerman in San Pedro; Inez Murray in Punte del Este and Iris Marga at Pocitis.

Pampa signed Hector Coire and young actress, Toti Munoz, on two-year exclusive pacts. Jose Olarra, announced by Pampa for 'Yo Quiero Moria Contigo' ('I Want to Die with You'), by Enrique Amorim and Roman Gomez Masia. Other leads include Angel Magana and Elisa Galde.

Luis Aldas, Argentina actor for 10 years in the States, signed by Sono-film for lead in 'La Casa de Los Cuervos' ('House of the Crows'). Cast for period piece, to be shot at San Isidro Studios, includes Amelia Bence, Miguel Gomez Bao, Elsa O'Connor, Vilma Vidal and Elisardo Santalla.

Current in downtown B.A.: 'Tom Brown's School Days' and 'Stranger on the Third Floor,' at the Rex; 'Ecstasy' at the Paramount; 'Mutiny on the Bounty' (revival) at the Ideal; 'Sea Hawk' at the Suipacha; 'Howards of Virginia' at the Opera; 'Night at Earl Carroll's' at the Normandie' 'We Who Are Young' at the Ambassador.

Baires Films, new producing outfit headed by Antonio Botano, owner of Critica, announces formation of distributing organization known as Baires Almar. Partners include Lauraret and Cavallo, owners of the Rex, Ambassador, Broadway and other major houses, and setup will give Baires best distribution of any local company. Expect to start shooting first pic in March at Don Toruato studios.

EFA angling for Luis Arata for big-budgeted pic. Contract with Lumiton doesn't prevent outside jobs. Arata and company now at the 18 de Julio (18th of July) theatre in Montevideo. Opened there with 'Nola Quiero Ni Me Importa' ('I Don't Love Her and She Doesn't Matter'), comedy by Darthes and Damel, and now doing three-act farce, 'Se Caso Luigin Trombetta' ('Luigin Trombetta Got Married').

St. Louis

By Sam X. Hurst

Talker houses in Vandalia, Ill., hard hit by epidemic of scarlet fever that has closed four grade schools.

Dorothy Thompson to personal before League of Women Voters in Municipal Auditorium Wednesday (26).

Frederick Jagel, Met Opera tenor, drew an SRO crowd to Howard Hall, Principia College, his first personal here.

Elizabeth Bona, mother of Lester Bona of the Warner sales organization, died last week. Her husband died two weeks before.

Clara Rockmore, virtuoso thereminist, will assist at Paul Robeson's recital in opera house of municipal auditorium. Entertainment, Inc., headed by Paul Beisman, is sponsoring.

Maxine Kippel, 17-year-old violinist, daughter of Sam Kippel, formerly in the first violin section of the St. Louis symph orch, scored as soloist with local symph orch's fourth student concert. Vladimir Golschmann conducted.

Charles 'Gabby' Street, former St. Louis Cardinals manager and currently a sports gabber for a local suds concocter, sporting a shiner as the result of stopping a baseball tossed by a mechanical pitcher at the Southwest Sportsmen's Show.

Pittsburgh

By Hal Cohen

C. C. Kellenberg, of 20th-Fox, off for Florida vacation; ditto Art England.

Pitt Players will close their season next month with Clifford Odets' 'Golden Boy.'

Helen Hayes-Maurice Evans 'Twelfth Night' due at Nixon first week in April.

Mary Lou Savage will be home next week with the 'Folies Bergere' unit at Stanley.

Local Ohio State alumni plotting theatre party during 'Male Animal's' engagement here.

Walter Appler coming back from New York to play lead in 'Morning at Seven' at Playhouse.

Gertrude Bromberg in ahead of 'Male Animal,' and Helen Hoerle also here drumbeating 'Fantasia.'

Variety Club tossed a party and buffet supper for entire touring 'Hellzapoppin' cast last week.

Nick Lucas had laryngitis and couldn't sing a note during his entire first week at the Villa Madrid.

Elizabeth North has resigned as Playhouse's p.a. on account of illness and replaced by J. English Smith.

Milton Golden, assistant manager Squirrel Hill theatre, leaving soon to become a cadet pilot U. S. Army.

Jeanette MacDonald coming in Monday (24) for concert she had to postpone on account of illness last month.

The C. J. Lattas will be grandparents in July. Their daughter, Peggy (Mrs. Bill Deibold), is expecting.

Jimmy Totman back on the job in WB publicity office after an operation which put him out of action for two weeks.

Buck Stoner, new M-G exchange manager, went back to Cleveland for one night to attend testimonial dinner in his honor.

New Haven

By Harold M. Bone

Ben Cohen, back from India, visiting hereabouts.

Next Yale production is 'Cherry Orchard,' due in March.

Ruth and Paul will joint-recital at the Shubert next month.

Lotte Lehmann and Lauritz Melchior in for Woolsey Hall concert.

Par manager Lew Schaefer's boy, Bob, among town's latest draftees.

Morris Joseph feted on retirement as Universal branch manager here.

Poyle Frijsh a click in Sprague Hall concert for Yale Music School.

Firemen's benefit to bring in 14 acts of big-time vaude to Arena Feb. 27.

Savin Rock's Club Continental had a visit from gendarmes on liquor count.

Oliver Bishop named manager of local office of film Arbitration Association.

Stirling Hayden hopped in for a single personal appearance at Paramount.

Lincoln has switched from foreign films to first-run domestic policy temporarily.

Albert Lewin in for chinfest at Yale drama school as guest of Prof. Allerdyce Nicoll.

Yale Dramat will do an original musical, 'The Waterbury Tales,' for Junior Prom play next month.

Mexico City

By Douglas L. Grahame

Cantinflas, tramp comedian, heading his own company on tour.

Ramon Pereda readying his first pic of the year after a long layoff.

Otto Amsden, American pianist, giving recitals at the Palace of Fine Arts (National theatre).

Arturo de Cordoba, film player, to Hollywood questing contracts after personaling in some Latin theatres of the U.S. Southwest.

Joe Fustemberg, owner of the Follies Bergere, local revue house, booked a French vaude unit while vacationing in Vera Cruz. Unit is to open here in March.

Pic Producer Miguel Contreras Torres back from his biz tour of Central America. He's the first of several Mexican pic makers to go after more Latin American trade in person.

Chano Urueta, pic producer, to the Laguna district, Mexico's greatest cotton belt, to ready a film dealing with the unfortunate agrarian experiment the Cardenas government made there.

Hollywood

Harry Arthur here from St. Louis.

Ogden Nash to Baltimore on vacation.

Dinah Shore being tested at 20th-Fox.

Cary Grant planning three months' vacash.

Gene Autry siestaing in northern California.

Donald Novis opens p.a. tour at Miami Feb. 20.

Gertrude Niesen back after five weeks p.a. in the east.

Glenn Ford back at Columbia after month's personal tour.

Lynn Bari back to work after a month's siege of flu.

Sergei Rachmaninoff called on Alfred Hitchcock at RKO.

Dorothy Lamour shoves off this week for a Mexican vacation.

Edward G. Robinson back from looksee at the plays on Broadway.

Arnold Gurther in town lining up talent for Elitch Gardens in Denver.

Arch Selwyn recovering from broken knee cap suffered in auto crash.

Richard De Mille, C. B.'s son, makes his acting debut in his father's next picture.

Gracie Fields planed to Denver to open third series of concerts for British War Relief.

Dick Pritchard, manager of Ambassador Hotel theatre, recovering from appendectomy.

Richard Terry replaced Eddie Laughton, who is ill, in the cast of 'Under Age' at Columbia.

Frank Donovan aired in from New York for weekend conferences on his Pathe series, 'Picture People.'

Warner Club tossed its seventh annual party, with 1,200 workers and their guests, at the Biltmore Bowl.

Globe Productions (James Roosevelt outfit) celebrated first anniversary with a dinner on the Pathe lot.

Otto Gluck, Viennese producer, filed $13,000 breach of contract suit against Jan Kiepura and Marta Eggerth here.

Robert Porterfield, who founded the Barter theatre at Abingdon, Va., has been given a part in 'Sergeant York' at Warners.

Howard Benedict and Leslie Goodwins home from Fort Benning, Ga., where they lined up data on 'Parachute Battalion.'

Gregg Toland hopped off for a Mexican vacation, leaving Al Gilka to shoot retakes on 'The Outlaws' for Howard Hughes.

Charlie Chaplin, W. C. Fields and B. P. Schulberg Studios will fight income tax claims of Government in the court this week.

Norman Manning checks out of Warners' flackery in two weeks to start his third season as manager of Hollywood Park Turf Club.

Dave Rubinoff took time out to submit idea for a musical film to one of the major studios, flying in from Kansas City and returning next day.

Charles Coburn defended his claim that the amateur theatre has failed to contribute any outstanding names to the profession in a talk before the University of Washington Theatre Conference at Seattle.

Australia

By Eric Gorrick

Hoyts extending loop in the Melbourne nabes.

Sir Ben Fuller trying out local vaude-revue at King's, Melbourne.

Marie Ney a click in 'No Time for Comedy' in Sydney for Williamson-Tait.

Greater Union Theatres signed contract extension with Columbia covering major centers.

Hal Thompson, U. S. radioer, will be given additional legit roles by Williamson-Tait during 1941. Thompson is scoring in 'No Time for Comedy.'

Abe Romain bowed in as band leader at Trocadero, Sydney. For balance of summer season Troc management giving away coffee and cakes to patrons. Last year it was furniture.

Several Sydney nabe exhibs have found biz so improved that they will continue with a three-a-day policy. Most nabers only play nightly with two mats weekly. Good product is said to be responsible for trade uplift.

Believed that the Motion Picture Distributors Assn. will appoint new head not connected with distribution. Bernie Freeman, m.d. Metro, is the present boss. Sir Victor Wilson was the last non-trader heading the MPDA.

'Great Dictator' (UA) is pulling tremendously in the out-of-town spots, with pic still high in Sydney.

Since the merger washup between Hoyts and Greater Union Theatres stocks in both units have taken a swing upwards.

Jack Kouvelis, major stix exhib, has presented an ambulance to the Commonwealth for service overseas. Kouvelis stated that he had been informed that Italian bombs had recently destroyed his brother's theatre in Patras, Greece.

Professional vaude-revuers are amazed and angry at the large number of amateurs finding employment over the various pic loops, most of whom break into the field via radio talent quests. Professionals hint that the ams take less for stage breaks.

OBITUARIES

FAY COURTNEY

Fay Courtney, 45, teamed with her sister, Florence, in singing duo known as the Courtney Sisters, a favorite vaude act of the '20s, died Feb. 14 at her home in New York.

The wife of Roy V. MacNicol, an artist, whom she wed in 1921. Miss Courtney was a native of Clay County, Texas, and made her stage debut with her sister at the age of 12. Pair toured the circuits together and dissolved for a time after Florence's marriage to George Jessel.

As a single Fay Courtney was a popular performer with an effective baritone voice. She featured songs occasionally written by herself and her sister. In 1921 the sisters united, after two years retirement, coming back with five string musicians who accompanied their singing. Fay usually carried the bulk of the talking chores with Florence harmonizing here and there.

Four years later the team reappeared on Broadway at the Palace. Turn was marked by harmonizing throughout except for one single number of Fay, which had always been a high spot of their work.

Later, the sisters appeared in musical comedy and were seen in such productions as 'The World of Pleasure' and 'The World of Society' and in 1927 had roles in Will Rogers' revue at the Princess Supper Club, London. Fay, who told a few Negro stories and sang spirituals, went on the concert stage after the act permanently broke up.

Appearing both in America and abroad, Miss Courtney only last fall participated in concert engagements in South America while her husband

J. J. McCarthy

gave art lectures. Part of the gross was donated to British War Relief. The couple had just recently returned from their tour.

Funeral services were held in New York Sunday (16).

EDWARD TRAIL

Edward Trail, 83, whose long service as theatrical manager and treasurer of the Park and the old and new Montauk theatres in Brooklyn, made him a familiar figure to both performers and audiences, died Feb. 12 in that borough.

Trail, the son of a Baltimore hotel proprietor who catered to a theatrical clientele, became acquainted with Col. William E. Sinn, owner of the Park theatre in Brooklyn, who was staying at his father's hostelry and it was he who introduced Trail to the business side of the theatre by engaging him as an extra usher at the Park in 1875.

Several years later Trail was appointed assistant treasurer of the house and eventually was named manager. The '90s brought a theatrical boom to Brooklyn and Col. Sinn unveiled the old Montauk in 1895 with Trail as treasurer. Those were the days when Brooklyn burghers saw their Barrymores, Drews and Mansfields on Fulton and Livingston streets instead of journeying to Broadway.

When the new Montauk was completed in 1905 Trail became its manager. He stayed there until 1915. That year the road struck a low ebb in Brooklyn chiefly due to competing motion pictures and better transit facilities to Manhattan. Though he joined a department store he continued his association with the theatre as an official of the Brooklyn Academy of Music.

He leaves a daughter, Mrs. Frank P. La Mura, with whom he resided, and four grandchildren. Funeral services were held in Brooklyn Friday (14).

FRANK LANDER

Frank Lander, 80, veteran actor who had appeared with Maurice Barrymore, John Drew and Mary Anderson and was seen as the leading heavy in the first New York production of 'Way Down East,' died Feb. 10 in Woodside, L. I.

A native of Indianapolis, Lander debuted in 1878 with Effie Ellsler in 'A Heroine in Rags' at Macauley's theatre, Louisville. Before leaving the stage in 1909 he had roles in 'Peg Woffington' with Rose Coghlan, 'Reckless Temple' with Maurice Barrymore, and acted in repertory with Robert Mantell. A member of William A. Brady's all-star 'Uncle Tom's Cabin,' he made his last stage appearance with Nance O'Neill. Thereafter Lander studied music abroad and upon his return was concerned with non-theatrical ventures. Five years ago he lost his sight.

Funeral services were held in New York Thursday (13) under auspices of the Actors' Fund. Burial took place at the Fund plot in Kensico Cemetery, Westchester County, N. Y.

FRED W. JORDAN

Fred W. Jordan, 59, for years a legit press agent who represented Arthur Hammerstein, the Abbey Theatre troupe and the Shuberts, died Feb. 13 of a heart attack at his home near Lake Mahopac, N. Y.

A native of Lewiston, Me., Jordan publicized Olga Petrova and Fannie Ward and recently had been an advance agent for Shubert road shows. For two years he p.a.d the Abbey Theatre Players and was last employed as road publicist for 'The White Steed.'

A member of the Theatrical Managers and Agents Union, he leaves his widow, Lydia, and a son, Fred, by a former marriage. Funeral services were held in Katonah, N. Y., Sunday (16) and burial followed in Fernciiff, N. Y.

J. J. (Jack) SULLIVAN

John J. (Jack) Sullivan, 56, veteran film man, died at his home in Los Angeles, Feb. 13, after a lingering illness. For the past 13 years he was chief film buyer for Fox West Coast Theatres, prior to which he spent 12 years with the Fox Film Co., last as branch manager of the Los Angeles exchange.

Sullivan, native of Minneapolis, received his early film training there. He later moved to state of Washington and about 25 years ago settled in Southern California. When Joe Goldberg retired from West Coast Theatres to join Columbia, Sullivan moved in as chief film buyer for the circuit.

Up until two years ago he played an active part in the annual film buying. Taken ill during one of his prolonged trips to New York, Sullivan gradually grew worse and took no active part in film buying last season. Widow, two sons and two daughters survive.

ETHEL VAN ORDEN

Mrs. Fred Dampier, 51, died Feb. 14 in Buffalo, N. Y., ending a 14-year career at WGR-WKBW under the professional name of Ethel Van Orden. She had been in show business, including dramatic stock, for 35 years.

The actress, who assisted her husband in writing and producing dramas at WGR-WKBW, where he is assistant drama chief, was a native of Texas. She played ingenue leads in two, George M. Cohan pieces, '45 Minutes from Broadway' and '50 Miles from Boston,' and trouped in Drinkwater's 'Abraham Lincoln' as Mrs. Lincoln.

Then she came to Buffalo, where she acted with the Frawley and Court Street stock groups before entering radio in 1927. Besides acting, she wrote and produced 'Moon Girl' and 'Green Family,' latter of which ran 185 weeks on WGR.

Burial in Forest Lawn Cemetery, Buffalo. Surviving are her husband and mother.

HUGO QUIST

Hugo Quist, 51, former manager of Sonja Henie, Paavo Nurmi and one-time associate of C. C. Pyle, the 'bunion derby' promoter, was found dead Feb. 14 in his room at a New York hotel.

An amateur cyclist in his native Norway, Quist came to the United States in 1921 and, after a brief association with the Finnish-American Athletic Club, became a sports promoter. He conceived the idea of putting on a track meet at Madison Square Garden, N. Y., in 1925 with Nurmi as the ace attraction.

Thereafter Quist not only handled Nurmi, but also represented several other leading Finnish track stars. Meeting Miss Henie shortly after she came to America in 1932 for the Olympic games, he became one of her business advisers soon after she abandoned her amateur standing. Last year they severed connections and he promoted several ice carnivals of his own.

He leaves a brother.

HENRY M. WALBROOK

Henry M. Walbrook, author, drama critic and playwright, died in London, Feb. 13. The writer of several books on the theatre, he was drama critic of the Pall Mall Gazette, London, from 1906 to 1915 and was elected president of the London Critics' Circle in 1933.

Before joining the Gazette he had been art critic of the magazine Man of the World in 1888 and 1889 and the following year became editor of the Brighton Guardian, with which he remained for 14 years. He also was considered a leading authority upon 19th century verse.

JACK CASSIN

Jack Cassin, 62, retired actor, whose career embraced some 25 years in all branches of the theatre, died of a heart attack Feb. 1 in Quincy, Ill.

A native of Rock Island, Ill., Cassin was a veteran of the Spanish-American War. He acted with the old Van Dyke and Eaton stock company and trouped on Mississippi River showboats.

He leaves a daughter, Marigold, associated with the San Francisco branch of the Erwin, Wasey agency.

LOUIS STERN

Louis Stern, 81, pioneer character actor who began his career in vaudeville and early silent films, died Feb. 15 in Hollywood after a long illness.

Born in New York, Stern acted in pictures at the old Ft. Lee, N. J., studios and went to Hollywood in 1926. He had parts with Lon Chaney in 'Where East Is East,' appeared with Alma Rubens in 'Humoresque' and was seen in 'The Postman' with Eddie Cantor.

Widow, Peggy, an actress, survives.

DONALD STUART

Donald Stuart, about 36, who appeared in legit shows, was found dead in Grand Central Station, N. Y., Feb. 7. Delay in identification at the morgue delayed burial by the Actors Fund.

Stuart was one of three sons of Ralph Stuart, sometime well known leading man, the others being Ralph, Jr., and Kenneth. Both of the latter were in the World War, former now residing on the Coast. Latter died from his war injuries after half a dozen plastic operations following his return from France.

PETER L. MIKALARIAS

Peter L. Mikalarias, 56, veteran Connellsville, Pa., exhibitor, died at his home there last week after a lingering illness. In failing health for some time, he had been bedfast for three months and since 1938 had been practically blind.

For many years, Mikalarias was a partner of Gus Markas, having entered the theatre business originally in Lancaster, Pa., more than a quarter of a century ago. He leaves brother, sister, two half-brothers and a half-sister, all of whom live in Greece.

MARIE REYNOLDS

Marie Reynolds, 60, an original Florodora Girl and one of the first Ziegfeld 'Follies' dancers, was found dead Feb. 13 in her New York apartment. Death was attributed to natural causes.

Under the nom-de-plume of Marie Randolph, Miss Reynolds was the author of a number of articles on international affairs in recent years. Documents and musty theatre programs discovered in her apartment revealed her theatrical past.

GLADYS M. S. CARROLL

Mrs. Gladys M. Sintes Carroll, 45, former actress, suicided in her Atlantic City, N. J., apartment last week by taking overdose of sleeping tablets.

A member of a theatrical family, Mrs. Carroll appeared in several Atlantic City night clubs a number of years ago. After a two-day police investigation following her death, the body was shipped to her home in New Orleans last Wednesday (12).

GINO ROCCA

Gino Rocca, 50, Italian newspaperman and playwright, and former drama critic of the authoritative Fascist organ, Il Popolo Italia, died of a heart attack Feb. 14 in Milan.

ADA LUM

Ada Lum, 47, veteran of burlesque and vaudeville, who had been retired from show business about a dozen years, died suddenly in New York of a heart attack last week. She had been on the Columbia burlesque wheel and in vaudeville with Watson and Cohen tab units.

Surviving are her husband and mother.

CECILE LORRAINE

Cecile Lorraine, 72, former operatic star, died Feb. 13 in Hollywood. She was a lyric soprano and sang throughout Great Britain, France and Australia years ago and was credited with first singing the role of Mimi in 'La Boheme.'

For past few years she had been teaching voice in Hollywood.

JOHN F. JACOBSON

John F. Jacobson, 68, composer, band leader and cornetist, died Feb. 10 at Fairport, O., of a heart attack. Most of his compositions, some of which have been broadcast, were written for the cornet.

Widow, daughter and a son, Arvo, of Brooklyn, N. Y., also a musician, survive.

MRS. FRANK A. MILLER

Mrs. Frank A. Miller, 71, who with her husband had a trained horse act in the Ringling circus, Farley Bros. Wild West and other tent shows prior to their retirement 12 years ago, died in Wichita, Kas., Feb. 7.

Couple had resided there since retirement.

FRANKLIN M. OHL

Franklin M. Ohl, 76, formerly treasurer of the Toledo, Columbus, and Indianapolis Theatre Co., which operated the old Valentine theatre, Toledo, years ago, and later business manager of the old Toledo (O.) Bee, died Feb. 13 at Toledo.

Leaves a son and a daughter.

DONNA DAMEREL

Donna Damerel, 28, who was Marge in the radio dramatic serial, 'Myrt and Marge,' died in childbirth Feb. 15 at the Englewood, N. J., hospital. Privately she was the wife of Peter J. Fick, an international swimming champion.

Further details will be found in the radio section.

JOHN NICHOLSON

John William 'Nick' Nicholson, 40, until recently head of the radio department for General Foods Sales Co. in Los Angeles, died Feb. 14 in San Diego, following a heart attack. He had been transferred to San Diego only a short time ago.

WILLIAM MALAN

William Malan, 73, vet film comic of the pie-throwing days, died in Hollywood Feb. 13.

He played in stock before joining Mack Sennett 20 years ago.

George F. Broadwell, 49, manager of the Family theatre, first picture house in Oberlin, O., died there Feb. 11. Shortly before the World War he was operator of the Apollo, Oberlin, and returning from service in the navy, opened the Rex, also Oberlin, which he operated a year. Widow, son, brother and mother survive.

Father, 84, of Richard Arlen, film actor, died Feb. 13 in St. Paul after a brief illness. Widow, daughter and another son survive.

Howard Casey, 29, dance-band trumpeter from Watseka, Ill., died at Evansville, Ind., Feb. 13.

J. O. Van de Bergh, 72, former Los Angeles exhibitor, died in L. A. Feb. 17.

Francis De Groat Robinson, 62, former motion picture cameraman, died Feb. 7 in Altadena, Cal.

Ben Hopkins, screen bit actor, died Feb. 8 in Los Angeles.

U. S. Strippers

Continued from page 1

them off, but they battled back bitterly, and when the gals scrammed for the dressing rooms they were right after them.

Free-for-all developed among the patrons, who howled that they were being cheated out of the fun for which they had paid the high price of $3 (about 60c in U. S. money). Forty orchestra seats were broken and the house suffered considerable other damage before the gendarmerie broke it up. None of the burleyites was hurt.

City government, fearful of an international incident, issued a statement deploring the set-to and posted guards at the house at following shows.

Danbury Fair Goes On

Danbury, Conn., Feb. 18.

Danbury Fair, southern New England's annual autumn expo, will go on as usual this year, in spite of $30,000 fire which recently destroyed main exhibit center, barns and other buildings. Loss was covered by insurance.

Fair will be modernized for 1941 showing, which will be 73d. Last summer midget auto races were promoted on property, and probably will be repeated this year.

MARRIAGES

Hilliard Gates, sports announcer at Westinghouse WOWO-WGL, Ft. Wayne, to Rae Lois Peterson, Muskegon, Mich. (non professional), on Feb. 11.

Eldon Campbell, special events director of Westinghouse WOWO-WGL, Ft. Wayne, to Helen Jones, Westinhouse secretary and erstwhile singing star of 'Indiana Indio' NBC net show, on March 1.

Johnny Barb to Ursuline Zimbardi, in Youngstown, O., Feb. 8. She's professionally Elaine Moore dancing commedienne.

Judy Gayle to Scotty Scott, in Toledo, O., Jan. 17. She's a vocalist and he's a musician.

Frances Glad to Fran Hines, in Buffalo, Feb. 17. He's singer at WGR-WKBW, Buffalo; she's a dancer.

Ruth Beres to William E. Miles, in Buffalo, Feb. 14. He's on WBNY, Buffalo, news staff.

Joseph T. Connolly to Mary Louise Maloney, in Philadelphia, Feb. 14. He's promotion head of WCAU, Philly; she's his former sec.

Betty Q. Harron to Ern Westmore, in Hollywood, Feb. 15. Bride is widow of Johnny Harron, film actor; he's a member of the screen makeup family.

Lois Lait to Thomas King, in Las Vegas, Nev., Feb. 14. Bride is daughter of Jack Lait, editor of the New York Daily Mirror; he's a non-pro.

Jean Parker to H. Dawson Sanders, in San Diego, Feb. 14. Bride is film actress; he's a radio commentator, known professionally as Douglas Dawson.

Fay Helm to Jack Hardy, in Coronado Beach, Cal., Feb. 15. Bride is screen player; he's an attorney.

Henry Cooke, Chi NBC announcer, and Mary Fickes, non-pro, in St. Louis on Feb. 19.

Dave Garroway, Chi NBC announcer, and Adele Dwyer, non-pro, in St. Louis on Feb. 15.

Alexander Danilova to Kasmir Kokitch in Los Angeles, Feb. 14. She is prima ballerina of the Ballet Russe and Kokitch is a solo dancer with the outfit.

Jean Enzinger to Clarence F. Cherock in Chicago Feb. 3. Bride, a Milwaukee girl, was a singer in Panther room of Hotel Sherman. Husband is trumpeter and arranger with Gene Krupa's band.

Neil Norman, program director at WIL, St. Louis, to Helen Jean Mulac, non-pro, of Pittsburgh.

Martha Sleeper to Harry Deutschbein, in New York, Feb. 15. Bride is the stage and screen actress; he's an engineer.

Irene Daye, vocalist with Gene Krupa band, to Edward (Corky) Cornelius, trumpet player with Casa Loma Orch, at Las Vegas, Nev., Feb. 16.

BIRTHS

Mr. and Mrs. Warren Champlain, daughter, Feb. 2, in Cincinnati. Father is WKRC, Cincy, announcer.

Mr. and Mrs. Eugene Patterson, daughter, Feb. 12, in Cincinnati. Father is program director for WLWO, Crosley's international shortwaver.

Mr. and Mrs. Charles Dameron, daughter, Feb. 13, in Cincinnati. Father is rural entertainer on WLW, Cincy.

Mr. and Mrs. Buddy Ross, son, Feb. 14, Cincinnati. Father is with Hugh Cross' Radio Pals, hillbilly combo, on WLW, Cincy.

Mr. and Mrs. Peter Krug, son, Feb. 11, in Buffalo. Father is announcer-production man at WEBR, Buffalo.

Mr. and Mrs. Lee Middleton Hoyle, daughter, in Los Angeles, Feb. 21. Grandparents are Mr. and Mrs. Charles Middleton, former vaude act known as Middleton and Spellmyer.

Mr. and Mrs. John Eiffert, daughter, Feb. 11, in Kansas City, Mo. Father is assistant manager at Paramount's Newman theatre, K. C.

Mr. and Mrs. Harold Betts, daughter, in Chicago, Feb. 11. Father is Chicago radio performer and singer.

Mr. and Mrs. Frank Capra, son, Feb. 14, in Los Angeles. Father is the film director-producer.

Mr. and Mrs. Dave Hacker, daughter, in Hollywood, Feb. 7. Parents compose the satirical dance team of Hacker and Sidell.

Bills Next Week

Continued from page 45

Harry Collet Orc

Whittier Hotel (Gold Cup Room)
Tony Patti

Wonder Bar
Sammy Dibert Orc

PITTSBURGH

Anchorage
Hugh Morton Orc
Maynard Deane

Arlington Lodge
Phil Cavezza Orc

Bachelors' Club
Al Turner Orc
Wally Vernon

Balconades
Joe Villella Orc

Bill Green's
Clyde Knight Orc
Janet Lee
Herb Roaher

Boogie-Woogie Club
Boog Sherman
Izzy Nutz
Buddy Walsh
Nutsy Fagan
Harry Comoroda
Packy M'Farland
Tiny Miller
Bernie Crawford

Club Petite
Piccolo Pete Orc
Betty Smiley
Roy King
Darlene Curtis
Mabel Harrell

Cork and Bottle
Jack Davis

Eddie Peyton's
Bill Campbell Orc
Caroline Mooro
Mabel Harrold
Marion Muller
Eddie Peyton

El Chico
Ciro Rimac Orc
Estrellita Pena
Alziro Camargo
Chinita Marin
Charley Boy

Hotel Fort Pitt
Ken Bailey Orc
Johnny Mitchell
Jessica Wheatley
Harry Walton
Irma Guthrell

Hotel Henry (Silver Grill)
Billy Treacher Orc
Sandy Davidson
Marian McGarrity

(Gay 90's)
Dorothy Nesbitt

Hotel 7th Avenue
Bees Saunders
Ida Iola
Everett Haydn
Betty Donahoe
Al Devin

Evergreen Gardens
Red Clarke Orc
Ebbie Schaub
Paula Harvey

Hotel Ella
Olga Mundy Orc
Dale St Clair
Zelda

Hotel Roosevelt
Ted Blake
Men About Town

Hotel Schenley
Billy Hinds Orc
Patty Dixon
Buzz Mayer

Hotel Wm. Penn (Chatterbox)
Baron Elliott Orc
Billy Cover

(Continental Bar)
Frank Andrini 4

Merry-Go-Round
Eddie Camden Orc
Betty Gale
Johnny Wilkes
Kamden Kids

New Penn
Ralph Allen Orc
Len Martin
DeLacey & Wright
New Yorker Gls

Cafe
Al Marlsco Orc
Bob Carter
Dwighte
Russ Lo Beau
Joe Wong
Kretlow Danc

Nut House
Dale Harkness
Ray Neville
Pat McGowan
Joey Reynolds
Chuck Wilson

Oasis
Louie Pope Orc
Margie Kraber

Orchard
Jimmy Gamble Orc
Jay Loring
Chuck Miller

Pines
Buzz Aston Orc
Tony Rozance
Ray Englert

Yacht Club
H Middleman Orc
Cesar, Rosita & P
Jackie Heller
Patricia
Manhattanettes
Shirley Heller

Sky-Vue
Mickey Ross Orc
Sky Pilots

Union Grill
Art Yagello
Frank Natale
Mike Sandretto

Villa Madrid
Etzi Covato Orc
Mark Lane
Nick Lucas
Ann Boland
Laska Sis
Gloria Miller
Gregorys

Bob Berry
Denise

Slapsy Maxie's
Babe Russin Orc
Maxie Rosenbloom
Joe Frisco
Cully Richards
Sammy Lewis
Patty Moore
Carolyn Marsh
M Garriston

The Drum
Val Olman Orc
John Buckmaster

Stuart & Lee
Diana Courtney

Villa Venice
Harry Rogers Orc
Moore & Revel

Wit's End
Tony Carlona Orc
Jose Tomas Orc
Lenny Kent
Renise
Rae Marsh
Rita Renaud
Sharon Lynne Danc

BOSTON

Beach Comber
Nye Mayhew Orc
Don Ostro Orc
Eden Twins
Copacabana Gls
George Escudero
Dorn & Yoesez

Blinstrub's
Karl Rohde Orc
Boyd Heathen
4 Arleys
Bobby Joyce & G

Casa
Lou Carter Orc
Lee Steele
David Ballentine
Bubbles Ricardo
Skating Comets
Marcia Rice

Club Mayfair
Ranny Weeks Orc
Bernie Bennett O
Cookie Faye
Lillian Carmen
Mills, King & Ray
Tanya & Brantly
George Libby Rev

Coconut Grove
Mickey Alpert Orc
Don Rico Orc
Allen Twins
George Rand Rev
Billy Paine
Nancy Gay

(Melody Lounge)
Rita Coughlin
Newell & Steger

Crawford House
Ray Collins Orc
Sally Keith
Paul Regan
Deby Wilson Co
Roberta
Bryce Santry

Fox & Hounds
Milton George Orc

Hi-Hat
Pete Herman Orc

Hotel Bradford (Circus Room)
Burt Mann
Nona Gae
Elwin Shaw

Hotel Brunswick (Bermuda Terrace)
Mitchell Ayres Orc
Mary Ann Mercer
Tommy Taylor

Hotel Copley Plaza (Sheraton Room)
Stuart Frazier Orc

Hotel Essex
Arthur Lake Orc
Billy Kelly
Jack Manning
Al Lewis

Victor Donato
Adele Corey
Rita Henderson
Raymond Pike
Eleanor Kelley

Hotel Somerset (Balinese Room)
Harry Marshard O
Johnny Turnbull
Lenny Welsh

Hotel Statler (Terrace Room)
Vaughn Monroe Orc
Marilyn Duke
Ziggy Talent
Joe Carney
Bobby Nichols

Hotel Westminster (Blue Room)
Jimmy McHale Orc
Trop'l Serenaders O
Adrian O'Brien
Harry Drake Rev
Rex & B Powers
Frank Fontaine

Ken
Frances Claire
Russ Howard

Latin Quarter
Tony Bruno Orc
Don Dudley Orc
Harry Spear
John Steele
Morgan Danc
Coletons
Latin Ballet
Radio Herb Lewis

Steuben's (Vienna Room)
Lew Conrad Orc
Doris Abbott
Nora & Jimmy Bell

The Cave
Mark Gilbert Orc
Jack Fisher
Tamara Dorly
Doris Abbott
Carlos & Doria

Tic Toc
Ernie Bell Orc
Ben Ford Rev
Lee Wyler
Danny Goodman
Mona Grant

Tremont Plaza
Ben Pullo Orc

Versailles
Geo MacFarlane O
Fritzi Scheff
Leighton Sis
Willie Solar
Emma Francis
Harold Kennedy
5 Juggling Jewels
10 Floradora Maids
Johnny Andrews

MIAMI

Beachcomber
Xavier Cugat Orc
Miguelito Valdez
Carlyle Blackwell
Chavez Orc
Tropical Danc

Carrousel
Ina Ray Hutton Or
Velero Sis Orc
Sammy Walsh
Harry Stevens
Nancy Hunt
Patty Oriell
Stuart Foster

Club Bali
Tommy Nunez Orc
Peggy Fears
Olivette & Murray
Merle & Gaylor
Alfredo Seville
Bali-ettes (12)

Club Esquire
Worthy Hills Orc
Hernandez Orc
Cross & Dunn
Terry Lawlor
De Angelo & Porter
Howard Brooks
Esquirettes (8)

Club Te Pee
Myles Bell Orc
Wanda Lee
Armond & Juliana

Colonial Inn
Paul Whiteman Orc
Harry Richman
Sophie Tucker
Joe E Lewis
Chandra-Kaly Danc
Marianne
Ann Sutherland
Armando Orc

Cuban Casino
Eva Ortega
Harriette Henning
Nan Blakstone
Tropic Beauties

Don Lanning's
Dorle Sherrill
Roberta Sherwood
Jimmie Hodges
Marie Lewis

El Chico
Ralph Cook
Marilyn Foster
Gloria Lucane
Lytell Danc

Five O'Clock Club
Pancho Orc
La Playa Danc

Hotel Dempsey-Vanderbilt (Pago Pago Room)
Bobby Parks Orc
Vincent Bragale Or
Terry Lawlor
Leon & Mace
Carroll & Gorman
Walter Donohue

Hotel Hollywood Beach (Bamboo Room)
Eddie Oliver Orc
Milton Douglas
Sara Ann McCabe

Hotel Miami Biltmore (Giralda Room)
M Bergere Orc

Rodney McLennan
Columbus & Carroll
Marissa

Hotel Roney-Plaza (Viennese Room)
Emery Deutsch Orc
Jaye Martin
Jean Travers
Georges & Jalna
Victor Rodriguez

Hotel Shelborne (Mayan Room)
Chet Brownagle Orc
K Miller Danc

Hotel Versailles (Gulf Room)
Chas Murray Orc

Jeff's
Jerry Delmar Orc
Marty Bohn
Nancy Lee
Merle Burke
Midgie Fellows
Murphy Sis

Jimmie's
Budd Sawyer's Orc
Chic Kennedy
Ravelle & Jeanette
Billy Young
Rae Jayne
Wayne & Marlin
Dorothy Eden

Kitty Davis
Johnny Silver Orc
Billy Vine
Conga Danc

Latin Quarter
Joe Candullo Orc
Lolita Cordoba Orc
Emil Boreo
Grisha & Brona
Henri Therrien
Lela Moore
Frank Mazzone
Yvonne Bouvier
Clarissa

Mayfair Club
Matty's Rhythm Cb
Leonardo Orc
Benny Davis

Nut Club
Tubby Rives
Lew Mercur
Musical Maniacs

Paddock Club
Leon Prima Orc
Frances Faye
Rogers & Morris
Gaye Dixon
Manhattanettes

Rhumba Casino
Alex Batkin Orc
Fantasias Rhumb's
Desi Arnaz
Marissa
Rosita Rios
Raul & Eva Reyes

Royal Palm Club
Abe Lyman Orc
Oscar Rosa Orc
Paul Haakon
Jansleys
Milton Berle
Royal Guards
Alexis Rotov
Rose Blaine

Singapore Sadie's
Dixieland Bd
Johnny Pineapple O

'Polite to Actors'

Continued from page 2

President's broadcast in the oval room from 11:15 to 11:45 p.m. The only exceptions were Tony Martin and Miss Helen Vinson, who did not arrive in Washington until early evening of Jan. 30, and who thus missed the luncheon.

These luncheon invitations were delivered to the stars by Mr. Jock Lawrence, representative of the Hollywood Producers Council, and the official studio representative in Washington, as contact man with the local committee. Benny Goodman, who was touring, did not arrive from Wilmington until 2 p.m., but he reached the White House in time to participate in the First Lady's personal tour of the Executive Mansion, and her delightful lecture on the history and tradition of the various rooms, including the President's study.

At the broadcast, the invitation list was limited to 50 (capacity of the oval room) and the guests included all stars, their studio escorts, and in some cases, Washington escorts. Those who exceeded the fixed number were escorted to the East Room, where they heard the broadcast over the radio, and were otherwise entertained.

Reflections Cast?

Since the entire amusement industry of Washington cooperates for these celebrations, and since star escorts included all prominent Washington theatre executives, the VARIETY story reflected on the ability of the committee to handle the details of a well organized schedule.

In appearing on six hotel programs, two midnight shows at the Capitol and Earle theatres, followed by the Gold Plate breakfast at the Carlton, each star was assisted by two local escorts well by studio representatives. During the course of the touring some 40,000 people saw the stars, and without one untoward incident.

These annual events, since 1934, have enjoyed magnificent cooperation from the White House, and include besides the Jan. 30 programs, the so-called 'Command Performance,'—this year 'Old Acquaintance'—with the entire cast supper guests of the President and Mrs. Roosevelt after the show. The warm friendship of President Roosevelt for 'the actor' could hardly have been better manifested than in his presentation of the historic third term campaign hat to be auctioned for the Motion Picture Relief Fund. The appreciation of Congress for the Hollywood caravan has already been expressed in the Congressional Record, in extended remarks by Congressman Connery and Senator Mead.

Our committee has had personal commendation from Mr. Harry Brand, chairman of the Hollywood publicists group, for the splendid treatment accorded the stars, from Mr. Walter Wanger who enjoyed Washington hospitality, and Mr. Jock Lawrence who was gratified at the smooth and complete arrangements for the reception and management of our distinguished guests. In addition, many of the stars by letter and personal message, have voiced appreciation for thoughtful consideration.

I speak for the committee when I say that Washington is conscious of the debt of gratitude it owes Hollywood for making January a memorable month. The cause of better health, and the Infantile Paralysis Foundation treasury, have profited through the willingness of the Hollywood great to make this annual pilgrimage. We have striven—and always will—to the utmost to make this appreciation practical, through genuine and sincere hospitality.

Andrew R. Kelly
Chairman, Entertainment Committee.

Easy On Exhibs

Continued from page 5

tion cases will cost a lot of money in addition to time out for the hearings, both in local tribunals and before the appeals board in New York.

In some quarters considerable fear is expressed in connection with the selling of shorts-newsreels and the moving of this product as well as features by the booking departments. Among other things salesmen and bookers will have to be very careful what they say, the attitude assumed and any representations or promises made that cannot be fulfilled.

Attorneys are covering the various exchanges to personally reduce the consent to the words of the layman but understood that in some cases not as many questions are being asked as was hoped for, with result additional explanations might become necessary.

20th-Fox's Handbook

Twentieth-Fox recently got out a handbook to its employes on sales and now Paramount is preparing a special manual on the consent for the use of its personnel. It will probably be ready for distribution in a week or two but meantime its contents are being withheld. When it got out its handbook, explaining what could be done and not done under the decree, 20th numbered each copy, made the recipients sign for it and advised it was confidential as well as subject to recall at any time.

The other companies under the decree, Warners, Metro and RKO, will also probably get out manuals supplemental to meetings in the exchanges and instructions that have already gone out, including that salesmen, bookers, etc., will be held accountable for their actions in line with the decree.

Grace Moore

Continued from page 3

dropped about $4,000 an $8,000 gross.

Friday (14), 'Fidelio' sold out at $15,500, showing a $3,000 profit.

Saturday afternoon (15), 'L'Amore Dei Tre Re' grossed about $11,000 with a loss of $2,000.

Saturday evening (15), 'Butterfly' at a $4 top sold out to the doors, grossing $10,000, or a profit of $1,000.

Monday (17), 'Tristan und Isolde' again sold out with $15,500, netting $3,000 as a profit.

Tomorrow (Thurs.), Robert Weede, erstwhile baritone of the Radio City Music hall, makes his debut in the title role of 'Rigoletto,' with the Met management expecting the biggest ballyhoo from the press and public since the advent of Flagstad. Weede is considered the best of the younger crop of Americans, and the Met management, while playing him down, expects him to be a bombshell to give the season its final push.

WHAT THEY THINK

Seeks Nina Tinova

Minneapolis.

Editor, VARIETY:

A request has come to me from a woman in Turkey to help her find her sister who came to this country with her husband 10 or 11 years ago, working first for the Goodwin Theatre Corp. and later was a dancer with Ziegfeld Follies, going by the name of Nina Tinova (shortened from Constantinova, the family name, I gather, although I am not sure of that). The sister thinks that Nina may now be a manikin either in New York or Hollywood, since she saw her picture manikin in some French fashion magazine, or at least in the fashion section of a French magazine last spring. The two sisters had corresponded for several years, Nina Tinova receiving her mail at the following New York address, care Mrs. Mascha Strunsky, 16 West 8th street, but as far back as September, 1933, a letter sent to Miss Nina Constantinova' at the above address was returned unclaimed to the sister now living in Adana, Turkey, who is very eager to get in touch with her sister in this country because she is her only living relative.

It is the N. Y. City Missing Persons Bureau who suggested my asking you to place an item about Nina Tinova your personal column, since her efforts to locate her have been unproductive. I shall appreciate your cooperation in locating this young woman.

Lillian C. Brauer,
2720 Bryant Ave., South.

De-Emphasizes Watts

Philadelphia.

Editor, VARIETY:

Recently, in stories about WDAS VARIETY consciously or inadvertently referred to the station as '*a small* Philly outlet.' Besides being a source of annoyance to us to be so relegated to the limbo it raises another question. Should a station's wattage be used as a criterion? In other words, which is the more powerful—WDAS with 250 watts covering 4,000,000 persons or Station Blank out in the corn country with 5,000 watts and a potential audience of 750,000. Should a station be termed small because there are other outlets in the same area with greater wattage but covering the same audience?

We have always felt that independent stations in urban areas suffer because too much emphasis is placed on wattage. An outlet is judged not by its potential audience, but by comparison with the wattage of other stations in the area. Would it not be a better plan to de-emphasize wattage? Since publication of a station's power is deceiving, could not some other plan be devised to classify a station. WDAS has never asked the FCC for more power since it feels that it covers a large area adequately. Leading agencies place business with it, leading newspapers use it for tie-ins, its gross billings far exceed stations of much greater wattage—but why should a station be damned by such a misleading item as 'a small station' because of nominal wattage. It's not only the problem of WDAS but any station in an urban center with adequate coverage but less electrical power. Shouldn't there be a law?

Jerry Stone,
Station WDAS.

Who's Who in the Barns

Louisville.

Editor, VARIETY:

There is a slight misunderstanding on the story carried in your issue of Feb. 12th relative to the Renfro Valley Barn Dance Show going on Mutual through WGRC. For your information, one of our station employees mistakenly gave this information to your Louisville correspondent.

The show WGRC is feeding to Mutual is called 'Rocky Road Folks from Rock Castle County' and has no connection with the Renfro Valley Barn Dance under John Lair as produced over WLW or on NBC Red.

The program is originating from a barn way down in the mountain district of Kentucky and the talent is composed of the 'Mountain Rangers,' a hillbilly trio, with girl singers and novelty interviews with back-county personalities. The format is entirely different from anything being heard over WLW or NBC Red. In view of the difference between this show and the Renfro Valley Barn Dance, it would be appreciated if you could carry a rewrite or retraction of the errors in the previous story of Feb. 11th. We understand the Renfro Valley Barn Dance continues on WLW under the personal direction of John Lair.

The 'Rocky Road Folks' is purely a WGRC idea and origination using native mountain talent; and since most of the mountain talent comes from Berea and Mt. Vernon and the hill country in that section, we felt it would give more color to originate from a barn actually on the scene—hence the trouble and expense of going to Mt. Vernon for the originating studio.

S. A. Cisler,
General Manager,
Station WGRC.

Barbara Perry's Standout Bit

Havana.

Editor, VARIETY:

The Jan. 29 review of the Gran Casino National show here made a slight error in the printing, but to me it means a good deal. It says that Miss Jeanne Carroll is the solo dancer and was brought east by the Shuberts, which is untrue. I am Barbara Perry, who did the solo work, and was brought east by the Shuberts to be featured in the 'Ziegfeld Follies,' as I was in their last version on the west coast. This can be verified by J. J. Shubert himself.

As Jeanne is in the chorus I know the writeup was meant for me, and it made me very encouraged, but it also makes me very unhappy to think that I cannot use that nice criticism to further my career.

Is it possible for this misprint to be rectified in another issue? As it means so much to me.

Barbara Perry.

Dubious Test

Chicago.

Editor, VARIETY:

On page 7 of the current issue of VARIETY you have an article headed, 'Detroit Fox's Test on Solo Pictures.'

While the caption might be indicative—it is going to be a test under decidedly adverse circumstances. It is not practical to run single features in a double-feature territory. If the picture does not do business, the manager of the theatre is liable to say the public insists double-features.

Am writing you this note, so that such an important question will not be judged detrimentally because of an unfair trial.

Essaness Theatres Corp.
(By Edwin Silverman).

Hepburn

Continued from page 1

newly-pledged fraternity members were celebrating the occasion by attending the theatre. They sang college songs before the performance and between the acts, but unlike other times in the past, were orderly during the show.

Opening her curtain speech, Miss Hepburn remarked that it was appropriate that 'The Philadelphia Story' should give its final performance in Philadelphia. She recalled that it was just one day short of two years ago that the Barry comedy opened its pre-Broadway engagement here and said that she had been nervous about her own performance in the leading part at that time. However, she added, Barry, the Guild, everyone in the company and the audiences had all been very generous and helpful to 'an old Hollywood has-been.' Speech apparently took the cast as well as the audience by surprise, as Miss Hepburn has previously not thus responded to applause at the curtain.

ASCAP Directors

Continued from page 1

Porter, et al., but, instead, some lesser lights are on the board membership. In justice to the situation, of course, men like Berlin in the past found they couldn't devote their interests to the situation; not that they couldn't be bothered, but because it really calls for much executive application.

However, with this crisis, much change in tact and thought has come to pass.

And since the board must be the vivid directing body, it will be no surprise if regular director's fees are instituted to compensate board members for their devotion to duty.

This is all part of the Tin Pan Alley thought that, like all crises, some good must come out of the strife. But first ASCAP must rid itself of its involved legal tanglements, and most notably the consent decree battle with the Governmental thorities in Washington.

• A lot of successful theatre men who have been through the mill in good times and bad . . . have arrived at this unwritten law that could easily be the keynote of any book on showmanship worthy of the name:

• That unwritten law is this simple statement: KEEP SELLING . . . KEEP SELLING . . . KEEP SELLING. And SELLING in the showman's book means "advertising". Paid advertising . . . publicity . . . exploitation and above all DISPLAY ADVERTISING. In your lobby . . . under your marquee . . on your . . . screen . . . on your outdoor poster spots.

• That naturally brings us to the Three Best Seat Sellers in this Industry . . . Trailers by NATIONAL SCREEN SERVICE . Lobby Displays by NATIONAL SCREEN ACCESSORIES . . . General Accessories by ADVERTISING ACCESSORIES, INC., . . and then write your own book of showmanship!

NATIONAL Screen SERVICE • NATIONAL Screen ACCESSORIES
ADVERTISING ACCESSORIES, INC.

SCREEN RADIO MUSIC STAGE

VARIETY

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H'WOOD LABOR SHOWDOWN

92 'Hellzapoppiners' Bring B'way To Fort Dix; War Fund Nets $1,000

By HERB GOLDEN

Ft. Dix, N. J., Feb. 25.

'Hellzapoppin' rolled into Ft. Dix yesterday (Monday), lock, stock and blank cartridges. And even Olsen and Johnson were surprised at what could happen. Premature finale, however, was the greatest surprise—and the greatest laugh-getter. With John Callaghan warbling into the mike, Dippy Diers, on the floor in his drape-model straight-jacket, rolled into the precariously hung curtain and brought down the works, proscenium valance and all, on Callaghan's startled head. There was a brave effort to go through with the final number as scheduled, but no one cared.

That was the finale, but hardly the beginning, as the show, with a cast of 92 and the heaviest prop list on Broadway, moved from the Winter Garden to a stage that was meant for motion pictures and designed accordingly. Nobody seemed to mind much, even when the lights wouldn't work, when they had to

(Continued on page 54)

New Denominations In Silver Coin Would Help Radio's Selling

Chicago, Feb. 25.

Radio station sales chiefs, especially on those outlets that have built their story on direct mail sales, are putting up a genuine squawk about the monetary and coinage system of the United States and there is likelihood that the subject of coinage will be brought up at the next national Sales Managers Division meeting.

By long experience the sales managers, especially those on rural appeal stations, have learned that in direct selling they are strictly out of luck if they ask the listeners to buy anything by mail if the item costs something which cannot be handled by a single, solitary coin. If the item sells over the air for a nickel, dime, quarter, half or even a dollar, there is a good chance for response. But to ask the listeners to send in 15c or 20c or 30c or 40c, or any amount which demands more than a single

(Continued on page 55)

BRITISH SONG 'THANKS MISTER ROOSEVELT'

London, Feb. 25.

Tommy Connor, local cleffer, has pounded out a ditty, 'Thanks Mr. Roosevelt,' tune covering British appreciation of the President's front-page aid to Britain gestures.

It was introduced by Bebe Daniels, appearing here with Ben Lyon, her husband.

Jukebox Billing

Milwaukee, Feb. 25.

Tribute to the jukeboxes is paid in the billing of the Andrews Sisters, currently at the Riverside theatre, whose blurbs proclaim:

'50 Million Nickels Can't Be Wrong! Meet the Queens of the Music Machines.'

'Tobacco Road' Film Version Ups Stage Play's B.O.

Twentieth-Fox's film version of 'Tobacco Road,' which opened at the Roxy, N. Y., last week to sharply divided reviews, is 'just a trailer' for the stage version, according to the latter management. It had been thought that the picture might force the record run drama off the boards at the Forrest, but it's stated that the show played to an average of 60 standees over capacity in the four performances on Saturday and Sunday (22-23).

Despite the fresh attendance hoist, the stage version still advertises 'last weeks' and has been since early fall. Fact that the admission scale at the Forrest of $1.10 top, comparatively close to the scale for the film, is also in the show's favor. Gross approached $7,000 last week, real coin for play which costs little to operate.

Touring 'Road' continues its clean-up, playing multiple repeat dates. Last week it got $16,000 in Washington. That did not include a Sunday afternoon and night performance there, when takings topped $3,600.

BROTHER-SISTER WED NOT KNOWING KINSHIP

Des Moines, Feb. 25.

One of the strangest marital cases in district court records here was heard last week in a suit to annul the marriage of a 20-year-old youth to his half-sister. The case is that of Dwayne E. Hanks against Vina C. Hanks, 35-year-old circus performer, known professionally as Trixie Montana.

The couple married at Winterset, Ia., last Aug. 21. When they visited the boy's mother she recognized Vina as her daughter by the first of her four marriages and in court she testified that the boy's wife was her daughter who had been adopted when a small baby by a farm family in Missouri.

Hanks is now in military service.

INVOLVES 10,000 STUDIO WORKERS

Negotiations for a New Contract Come to a Head This Thursday — George E. Browne's IATSE Silent on Demands

PRODUCERS' STAND

Hollywood, Feb. 25.

Showdown between producers and IATSE studio locals on negotiations for new contracts is expected Thursday (27).

Labor leaders will meet with Pat Casey, producer-labor contact.

All crafts except cameramen and laboratory technicians were represented at the meeting Monday (24) when it was voted to force the issue with producers.

New contract deals covering wages and conditions for 10,000 film technicians are stymied by the silence of George E. Browne and his International Alliance of Theatrical Stage Employes. The Producers have been listening to the demands of the

(Continued on page 20)

Keeping That Schnoz Red Deductible, Fields' Plea in 20G Tax Clip

Hollywood, Feb. 25.

Shakespeare—'A rose by any other name would smell as sweet.'

W. C. Fields—'My nose may not be a Shakespearean rose but it's my trademark.

Uncle Sam—'Nose polishing is not an essential industry.'

It was all about a $20,000 income tax difference between Uncle Sam and W. C. Fields. U. S. wanted the money and Bill said, 'Listen, Uncle, you can't support a roseate schnoz for nothing. If I walked into a studio without that red bugle I would

(Continued on page 53)

SPITALNY GIVES 30 GIRLS NO-COST VACASH

Phil Spitalny is doing a Santa Claus for his 30 girls, vacationing them for three weeks at the swank Lord Tarleton hotel, Miami Beach, all expenses paid, and then they start a five-week trek through Texas theatres for Interstate. Open March 21 in Houston.

Spitalny and his all-femme orchestra left on special train and with a special baggage car for Miami Monday (24).

Radio In No Rush for ASCAP Pact; Says: 'Let 'Em Propose, We'll Study'

While prominent ad agency execs anticipate a settlement of the ASCAP-radio row some time between April 1 and 15, the behavior of the board of directors of the National Association of Broadcasters indicates there will be no getting together with the Society for months unless the Federal government itself delivers the nudge. The N.A.B. board, which met last week, took the position that all it could do was wait until ASCAP produced a detailed set of alternative formulae from which the broadcasters could choose. In contrast with this attitude ASCAP holds that it cannot work out any formula until it meets with radio and finds out what the various broadcasters want.

Rumor which spread through the music industry over the past weekend was that the N.A.B. board had already agreed on a proposition for submission to ASCAP. According to this report, the radio industry would offer ASCAP a flat income of $2,500,000, with the N.A.B. itself deciding how this was to be divvied up among the networks and indie broadcasters. The $2,500,000 is half of what ASCAP got from radio in 1940. This type of proposition is nothing new for ASCAP. Edward Klauber, CBS executive v.p., over a year ago asked ASCAP how much of a lump sum it

(Continued on page 38)

Maxfactoring a Gov.

Hollywood, Feb. 25.

Governor Culbert Olson went for a makeup kit at Talisman Studio today.

He's appearing in a series of shorts on national defense activities in California.

Hitler Booklets Prove Faux Pas With Col. Discs

American music lovers apparently care little for Adolf Hitler's likes and dislikes in music or to have it pointed out how closely Hitler's life parallels a particular musical theme. Copies of album of records inscribed with Richard Strauss' 'Hero's Life,' turned out recently by Columbia Records, got pretty rough treatment because of an accompanying commentary written by Nicholas Slonimsky. Music was recorded by the Cleveland Symphony Orchestra under Arthur Rodzinski.

Commentary explained that the number is Hitler's favorite and went on to draw comparisons with it and the fuehrer's aims as laid out in his book, 'Mein Kampf.' Title of the tune is an indication of the nature of the remarks. Reaction to the leaflet was such that the record company recalled all the leaflets and is marketing the book without printed comment. Seems too many buyers were inclined to return their purchases with comments of their own.

HENIE'S ICE REVUE IN 61 DAYS GOT $1,224,000

Chicago, Feb. 25.

Sonja Henie Ice Revue last week finished its greatest money tour, snagging total of better than $1,224,000 in its 61-day jaunt through the key towns.

Arthur Wirtz closed show in Omaha after it had been averaging $20,000 daily since December.

Yesteryear Silent Pix Stars Into Rose's New N. Y. Nitery Revue

Stage stars of yesteryear having paid off to the tune of $1,000,000 last year at his Diamond Horseshoe, New York nitery, Billy Rose plans to continue exploiting the boxoffice draw of oldtimers by resurrecting one-time Hollywood greats for his next show. New production at the Horseshoe, called 'The Silver Screen,' will be a sentimental screen-musical cavalcade, tracing back the history of Hollywood from the earliest silent one-reelers of 35 years ago to the lavish talkers and filmusicals of today. Carlyle Blackwell, Nita Naldi and Mae Murray are set for the new Rose production; others in negotiation are Polly Moran, Charles King and Stepin Fetchit. New show opens March 18.

'Nights of Gladness,' current Diamond Horseshoe production, closes March 8 after 10 months and a gross

(Continued on page 55)

The Greatest Name in Show Business
PRESENTS
The Finest Comedian in America
WITH
The Most Beautiful Girls in the World
Earl Carroll Vanities, starring Bert Wheeler, with Hank Ladd—Milwaukee now, Chicago next.

15 Best Sheet Music Sellers

(Week ending Feb. 22, 1941)

I Hear a Rhapsody	BMI
You Walked By	BMI
High on a Windy Hill	BMI
It All Comes Back to Me Now	BMI
Frenesi	Southern
May I Never Love Again	BMI
There'll Be Some Changes Made	Marks
Tonight (Perfidia)	Southern
I Give You My Word	BMI
God Bless America	Berlin
Wise Old Owl	BMI
Number 10 Lullabye Lane	Warren
So You're the One	BMI
Last Time I Saw Paris	Chappell
San Antonio Rose	Berlin

Shows in London Air Raid Shelters Reveal Feeble Tries at Entertainment

By REGGIE

London, Feb. 1.

It's a boring life in London these war-time nights, what with all the old haunts closed, no shows and those cozy seats on the aisle but a memory. What's a reviewer to do? He can sit around and hear about the missus' fur coat that was in storage, and is now Lord knows where. When they cleared the bomb debris they found the hanger, though. It takes a woman to recognize a fur coat by its hanger.

Of course, there's a shelter revue to escape all that. Like the one at Selfridge's, the department store known to all visiting Americans and other foreigners. Selfridge's bargain basement, now an air-raid shelter looking after the welfare of 600 Londoners, draws the folks nightly, raid or no raid, with their sleeping bunks already provided for them by the government. They have to vacate early in the morning.

Selfridge's is one of the many thousands of shelters in London, but considered one of the safest.

Since the blitz, shelterers have been promised lots of amenities, including concerts, games, lectures, etc., but so far little has been accomplished. In these long nights it's very boring to spend five or six hours at a stretch before bedtime in a confined area without some sort of recreation.

There have been several squawks among the shelterites, with the government entertaining group having made some feeble attempt to provide concerts. So far, all they have been given are promises. Position has become so helpless that the St. Marylebone Borough Council, which looks after a big portion of West End of London, has decided to provide entertainments on its own. It has appointed Ernest J. Noyle, a warden.

(Continued on page 53)

THIS CAN'T BE FOG THAT SOAKED H'WOOD

Hollywood, Feb. 25.

Film production stayed high and dry last week—and indoors. Pelting rains throughout the week and lapping over into the previous few days soaked the town and environs, flooding some sections of the town due to poor drainage. Loss to the studios wasn't extra heavy as they had been warned of the rain to come.

Rainfall to date is far above normal and the town's weather-prophet predicts more wet days to come. Once the sun breaks through there'll be more outdoor shooting than the town's known in years. Exteriors are being held up until the storm subsides.

Benatzky's Operetta

Dr. Ralph Benatzky, who has done three operas in Europe since his 'Forger of Kent' in Dresden back in 1926, has just finished writing a comic opera, 'Belle of Venice.' Leo Lerman did the libretto.

Benatzky does not plan to produce his new opera until the fall but in the meantime will quit New York within the next three weeks to visit friends and former Viennese associates now in Hollywood.

Cantor Wires Lindy

Leo Lindy, the Broadway restaurateur, did guester with Fred Allen last week and Eddie Cantor, who has the competitive hour opposite Allen's radio show, wired Lindy from the Coast:

'I still like your food; love and knishes' (latter a non-'Aryan' food delicacy).

BURNS & ALLEN OFF MARCH 24

Burns and Allen wind up for Hormel with their March 24 broadcast, after a run of 39 weeks.

Account is also giving up its Monday night half-hour on the NBC-red.

OVER 1,000 CINEMAS SET FOR GREEK COLLECTIONS

Number of theatres to participate in the Greek War Relief collections drive March 25-30 now exceed 1,000. Donations will be sought in the lobbies rather than inside as has often been done in the past, particularly for the Will Rogers Memorial hospital.

Jules J. Rubens, operator of the Great States (Par) circuit in Illinois-Indiana, has rounded up close to 300 theatres in Illinois alone, he has advised Adolph Zukor, chairman of the amusement division of the G.W.R.

Two midnight shows for the benefit of the fund have already been given, one in Johnstown, Pa., the other in Memphis. Many others will be held between now and March 30.

In a general appeal issued yesterday, Zukor asked for widespread industry cooperation in the fund collecting drive. He said:

"Today, we of the amusement industry are asked to do our small part. The suffering, the struggles of millions of valiant men, women and children will be lightened by knowing that here in the United States are fellow humans who want them to win, and, furthermore, are willing to do something about it! John H. Harris and Gradwell L. Sears have very kindly volunteered to aid me in organizing all exhibitors and distributors for this great cause. We have set aside the period of March 25-30 as the days to raise the funds through the active participation of all theatres everywhere. As chairman of the Amusement Industry Division of the Greek War Relief Association, I appeal to you to do your share in making our drive a complete success.'

'POOR MAN'S INFO FIELD'

Rudolph Field, Book Publisher, Sets Up a Radio Dept.

Rudolph Field, book publisher, is expanding to enter the radio production field. Ted Wilde will head the new department, located at the House of Field publishing offices, New York.

First production of Radio-Field is 'Rolling Home,' a dramatic series with Judith Allen. Other shows in preparation are 'The Poor Man's Information Please' and 'Tell Miss Allen.'

Sherwood Mulls Film Biog on Floyd Gibbons

Film biog of Floyd Gibbons is being planned by producer Robert Sherwood if current huddles with reps of Gibbons estate are successful. There's a possibility that Sherwood may use as the basis of the film a biographical sketch of the famed reporter prepared by Quentin Reynolds and N. Y. Journal-American columnist Louis Sobol.

Producer is confabbing in New York with agent Mark Hanna, who reps Reynolds and Sobol on the script, labeled 'Headline Hunter.' If deal cannot be worked out, Sherwood may go ahead with the film, using other biographical material obtained from Gibbons' books, newspaper columns, radio scripts and news stories.

Sherwood has just completed his initial film, 'Adam Had Four Sons,' which Columbia is releasing. He brought the print cast with him and will possibly remain in New York for the preem at the Music Hall next month.

Sherwood's deal with Col. was for the one picture only.

Bennee Russell Writes Plays As Change From Songs; Shubert Weighs

Bennee Russell, songsmith, has written his first two straight plays, and has a tentative hookup with J. J. Shubert for whom he's authored stage musicals. Russell wants either Brian Aherne, Adolphe Menjou or Basil Rathbone for his plays, titled 'I Will Rock the World' and 'Heaven, Please Do Not Disturb.'

He leaves for the Coast this week to sound out talent.

'SINGING SAM' CAUSES COPY ACT'S ARREST

Philadelphia, Feb. 25.

James Crawford, appearing at Hopkins Rathskeller under the moniker 'Singing Sam,' was arrested Wednesday (19) charged with violating the State Advertising act on a warrant sworn out by Fred Leroy Wilson, manager of Harry Frankel, radio singer known as 'Singing Sam.'

Crawford, whose right name is Joe Silvers, was held in $1,000 bail for a further hearing by Magistrate Nathan Beifel. Under the State act it is forbidden to use trade names belonging to someone else.

TALU'S 6G BROOCH FOUND

Chattanooga, Feb. 25.

Thanks to C. H. Simpson, theatre manager, Tallulah Bankhead is again in possession of $6,000 diamond brooch she lost here.

Simpson found brooch on floor of an automobile in which actress had ridden from theatre to railway station after her final performance here in 'The Little Foxes.' Valuable gem caught up with her in Nashville.

N. Y. to L. A.

Maxwell Anderson.
S. N. Behrman.
Joe Breen.
Gene Buck.
Earl Carroll.
Jerome Chodorov.
Douglas Churchill.
Myron C. Fagan.
Joseph Fields.
Gene Fowler.
Jack Hively.
Katharine Leslie.
Arthur M. Loew.
Arthur Mencken.
Sandra Michael.
Ed Peskay.
Benee Russell.
George J. Schaefer.

L. A. to N. Y.

Sam Briskin.
Jack Brower.
Abe Burrows.
Danny Danker.
Andre Daven.
Ed Gardner.
Leo Jaffe.
Alexander Korda.
Paul Lukas.
Abe Montague.
Nina Orla.
Albertina Rasch.
Gottfried Reinhardt.
George Seaton.
Sam Schiff.
Carl Stanton.
Gene Tierney.
Jock Whitney.

THE BERLE-ING POINT

By Milton Berle

Miami Beach, Feb. 25.

Hear that the Chamber of Commerce in California swears that last week's rainy weather was piped in from Florida.

It's been raining so much in California that Billy Rose is looking over the corner of Hollywood and Vine as an Aquacade site.

Of course, it hasn't been cold in Florida. Yesterday we went out on the beach and built a snow man out of sand.

A native of Miami went to the doctor with a strange complaint. He claims that every morning when he gets out of bed he sees new hotels in front of his eyes.

Abe Lyman has turned vegetarian. He's so strict about it that he won't even wear a pork-pie hat.

Hialeah—that's French for 'Hello Suckers'.

At the Paddock: Rogers and Morris (the poor man's Cross and Dunn) continually tell jokes about girdles—that's one way of getting belly laughs.

Broadway Dept.

Broadway Sam says he is thinking of buying a farm next summer. From playboy to plowboy.

Since Dorothy Kilgallen devoted a column to her, Broadway Rose is thinking of moving her 'office' from the front of Lindy's to the front of '21'. (See if I care.)

William Saroyan denies that he is the author of 'Five Alarm Waltz'. Anything Saroyan writes rates more than five alarms and is never a waltz.

'Arsenic and Old Lace' proves that a play can be a success in spite of bad arithmetic. The play has 21 'angels' and only 12 corpses.

Successful night spots in New York are the Latin type, such as La Martinique and La Conga. A new Bronx nitery will be named La Pirlus.

Eddie (Leon & Eddie's) Davis will be back to work soon. He was out with an ear ailment caused by one of his own songs.

Hollywoodiana

Hollywood is certainly getting modern. A girl out there started divorce proceedings last week even before she was married.

Jerry Colonna has built a beautiful swimming pool and garage on his property in Beverly Hills and, if everything goes all right this year, he's going to build a house, too.

An extra in a draft picture did so well in the role of a private that the army gave him a one-year contract in the same part.

A Hollywood producer was told he'd be smart to buy 'My Sister Eileen'. He disgustedly replied, 'Haven't we got enough relatives on the payroll already?'

With the way it's raining in Hollywood, some studio could film 'Noah's Ark' without even going out on location.

Business is so good at Earl Carroll's theatre-restaurant that henceforth it will be known as the annex to the 'Bank of America'.

Music Dept.

Do you think BMI songs will bring back the Pantages Circuit?

A new form of songwriting has been started by Jack Mills, who published a song, 'Now You Can Be Taller Than Her,' for Adler Shoes. I'm writing a lyric titled, 'She Won't Care What You're Wearing If You Bring a Jar of Herring.'

The head waiter at a New York night spot told a singer that a customer had a request for her. When the singer asked what it was, the garcon replied, 'To leave town'.

Radio Dept.

Since quiz programs started, gangsters now refuse to answer questions asked by the police unless they get paid for each question.

Leo Lindy's appearance on the Fred Allen show last week came off in a borscht of glory. Mrs. Lindy wasn't at the studio—somebody had to mind the store.

Hangnail Descriptions

Peggy Hopkins Joyce: Hubby Hobby. *Mickey Rooney:* Eyes A Muggin'. *Gertrude Lawrence:* Lady in the sock. *George Raft:* Ready, Willing and Grable. *Martha Raye:* Holland Tunnel with Lip Rouge. *Brenda & Cobina:* Two Creepy People.

Observation Dept.

One of the chorus girls at the Royal Palm thought she was bitten by the love bug until friends proved the guy was a louse.

Maxie Rosenbloom is proving every night at Slapsie Maxie's that he's punch-line drunk.

The blimp marked 'Goodyear' flies over Miami Beach daily and you can hear every hotel owner yell, 'It's a lie'.

Eavesdropped at Sunny Isles: 'She has so many lines in her face her friends call her 'The Letter'.'

Eavesdropped at Latin Quarter: 'He'd make a wonderful model for a hangover.'

Eavesdropped at the Mayfair: 'He and the seat of his pants used to shine in society.'

Since 'Tall, Dark and Handsome' my fan mail has been so big I had to get another cigar box.

Whatever Became of ——?

Joe Woods' 'Mimic World'
Anthony & Rogers
Ruth Roye
Stutz & Bingham
Brems, Fitz & The Murphy Bros.
Doc Baker's 'Flashes'

Afterpiece

Now's the time to figure out what you're going to owe the Government for the money you thought you earned last year.

Bulk of Marg. Clark 565G Estate Goes to Her Sister

New Orleans, Feb. 25.

Mrs. Marguerite Clark Williams, former film star and widow of Harry P. Williams, millionaire lumberman, left an estate valued at $565,643.50, according to an inventory filed in civil district court here Friday (21). Mrs. Williams died on Sept. 25, 1940.

Under provisions of her will, dated Oct. 29, 1939, she left the bulk of her estate to her sister, Cora Clark in New York. The will contained 41 bequests ranging from $200 to $6,000, the remainder of her estate being left to her sister.

Of the estate, $418,088.39 was in Orleans parish, $109,025.54 in St. Mary parish, $37,849 in New York and $500 in Ouachita parish. The Orleans parish estate included stocks and bonds valued at $268,637, cash in bank totaling $19,679, and real estate valued at $96,732. Her jewelry and silverware were valued at $18,000.

WENDY YENS B'WAY PLAY

Wendy Barrie, currently at Loew's State, N. Y., is seeking a legit role while east.

This is the first time, incidentally, Miss Barrie has played a stage engagement on Broadway.

ASTAIRE TEAMED WITH HAYWORTH IN COL. PIC

Hollywood, Feb. 25.

Fred Astaire will have a new teammate in Rita Hayworth for Columbia's 'She's My Uncle,' which Everett Riskin produces.

Studio is also considering Astaire for a top role in its recent buy of the Broadway stage play, 'Pal Joey.' Actor's deal with Universal chilled after weeks of negotiation.

REP'S MIDDLETON

Ray Middleton, singer last heard in 'American Jubilee' at the N. Y. World's Fair, was signatured to term pact last week by Republic.

He left for the Coast last Saturday (22) to begin work in 'Lady From New Orleans.'

SAILINGS

Feb. 20 (Los Angeles to New York), William Boyd, Grace Bradley (America).

MUGGING AT THE MET

Don't Look Now, Dinty Moore, But Frank Sullivan Is Trying to Move In

Frank Sullivan, who has been making squawks on behalf of himself and other backers of 'Arsenic and Old Lace,' persons who by the way will doubtless have to pay excess profits on their 1941 incomes because of the gravy they are getting from the show, now wants a piece of Dinty Moore's restaurant, next to the Fulton, N. Y., where the hit is running. It is true that the eatery is benefiting, but not only from 'Arsenic.' Sullivan disregards 'Panama Hattie,' at the 46th Street on the other side of Moore's. His orders to Dick Maney, the show's press agent, follow:

My Dear Maney:

'Enclosed is a little article which Professor John Dewey wished to write for the Columbia Journal of Philosophical Research. Will you please hand it to him? Do not delay, as their deadline is 1943.

'Your work on 'Arsenic' seems to me to be satisfactory, if perhaps a trifle unimaginative. I mean to say, why only 37 standees last Monday night? And you have concluded no arrangement as yet with Dinty Moore for 10% of the business he does as a result of 'Arsenic.' All you have to say to him is that you will refuse tickets for 'Arsenic' to anyone who eats at his joint, and you will have him by the

(Continued on page 49)

Prez Grants Showcase For Mex Talent to Woo U.S. Tourists' Good Will

Mexico City, Feb. 25.

Mexico urgently needs a permanent theatre for the exposition of its folk music, dances and songs, because these are what American tourists most want in Mexico, according to Roberto Soto, veteran comic. He recently related this need to President Manual Avila Camacho during a command interview the head man had with Soto to ascertain how he is making out with his Mexican revue venture in New York. American tourists, Soto told the President, consider that they are gypped unless they see McCoy Mexican folk stuff in Mexico.

The President indicated he will adopt Soto's suggestion. It is expected that the government will soon establish a theatre here for the exclusive presentation of folk lore.

Soto is here recruiting a company of 62 for a New York show.

MAURICE LIVINGSTON IN A JAM IN PARIS

Paris, Feb. 10.

S. Maurice Livingston, former Paramount and RKO exec here, is under arraignment on charges of complicity in an alleged racket to obtain release of French war prisoners in return for payments by their relatives. He pleaded not guilty.

Livingston's arrest followed that of Mlle. Paulette Couybas, said by Paris police to be an international swindler who, in 1935, was sentenced to three years in prison for obtaining 500,000 francs by posing as the fiance of Archduke Wilhelm of Hapsburg.

Mlle. Couybas was said by police to have set up a committee for aid to prisoners under the alleged patronage of the Duke de Nemours. Livingston was said to have been hired by Mlle. Couybas to solicit funds from relatives of prisoners on the assurance that she could arrange for their liberation by way of Switzerland. Livingston maintained he did not know the woman was a swindler and acted in good faith.

He worked for RKO until about two years ago and before that for Par. He's also an attorney and was well known to the American colony in Paris.

Missed Her Pet

Buffalo, Feb. 25.

Those inquiring of Mrs. Ambrose, 85-year-old Buffalo winner of last week's $1,000 'Pot of Gold' prize, as to her ideas about the stunt and the sponsor brought the startling response 'I don't know—I have never listened to the 'Pot-of-Gold' program in my life.'

When questioned as to her reactions to the award she stated ruefully, 'I was so excited I missed my favorite program, 'The Aldrich Family.'

Ga. Solons Defend Fanner, Whom Scribe Raps for Senate Visit

Atlanta, Feb. 25.

Storm of comment swirled around last week after visit of fanner Sally Rand to State Senate. Sally had visited upper house at their invitation and directed a few remarks to solons.

Reason for debate about bubbler's visit was fact that Morgan Blake, columnist and erstwhile sports-writer for James M. Cox's Atlanta Journal, and conductor of Bible class over WSB, had broadcast that Sally's visit was disgrace to state and Senate. Senator J. O. Wall, aged 80, put these words into Senate record. 'Blake said she was a strip tease dancer, while at least 90% of the Senators thought she was a movie star.' 'And besides,' he said, 'it would have been impolite to object to her presence after she arrived.'

Senator H. B. ('Hell Bent') Edwards, of Valdosta, was a bit more outspoken. He praised Blake for being 'a good Christian gentleman,' but said he should hang his head in shame 'for the injustice done this little girl.' In fact, Edwards told Senate, Blake's remarks indicated that 'all the rhythm and the desire to shake a bit had gone out of his bones.'

Sally's visit to Senate was just one of many places she got around to during her spare time while she was filling three-night engagement at Ansley Hotel's Rainbow Roof.

JIMMY DURANTE'S RACE TO HIS DAD'S BEDSIDE

Jimmy Durante was in a coast-to-coast race with death yesterday (Tuesday) in his attempt to reach the New York hospital bedside of his 92-year-old father, Bartholomew, who lies gravely ill. The Schnoz' plane was grounded near the Rockies yesterday by bad weather, and he was forced to take a fast train to Chicago, where a plane awaited him for the rest of the journey to Gotham.

Although resting comfortably, the elder Durante's condition was said by physicians to be still critical late yesterday afternoon.

Met's Bulgarian Tenor

The Metropolitan Opera Co. has signed Todor Mazaroff, Bulgarian tenor now in Italy, to a contract for the 1941-42 season. The tenor will receive $1,000 a performance and has been guaranteed three round-trip tickets for himself, his teacher, and his accompanist. He will probably make appearances at Chicago and Los Angeles.

Salvatore Baccaloni, basso-buffa of the Met, has just recorded six sides for Columbia including the arias from 'Don Giovanni' and 'Barber of Seville.' Rise Stevens, Met contralto and Metro contractee, also has recently recorded for Columbia.

'BARBER' WITH CLOWNING ASIDES

John Charles Thomas' First Appearance Draws $14,500 Gross, or $2,500 Net

1ST WEEK'S PROFIT

By EDWARD SMITH

The Metropolitan Opera Co. of N.Y. closed its 12th week, or three-fourths of its season, on Monday (24) with the first profit of the season, $5,500 for the week, on a top gross of $122,000 for 10 performances. The Met can thank Kirsten Flagsted, its Wagnerian b.o. star, for its profit, the soprano having sung three times during the week, rolling up a gross of $42,500 with a profit of $5,000.

Only new work was 'Barber of Seville,' Wed. (19) with John Charles Thomas making his first appearance of the season. Opera drew $14,500, a $2,500 profit. The baritone sang a lusty Figaro, giving scant heed to the Italian text and bringing down the house with locomotive whistles and catcalls. Vocally he remains, at 54, as fine a baritone as there is in the country.

Josephine Tuminia strengthened the good impression she made in her debut, singing and acting well as Rosina, while Bruno Landi's Almaviva was small sized and small voiced but artistically perfect. Ezio Pinza, Salvatore Baccaloni and Irra Petina mugged and scene-stole throughout the opera to the delight of the gathering. As presented today at the Met the opera is high class musical comedy, but the audience eats it up.

Monday (17) saw the first of the Flagstad sellouts with a repeat of 'Tristan und Isolde' clicking at $15,500, or a profit of $3,000.

Tuesday (18) the company in Philadelphia sold out to a $15,000 gross with 'Otello,' with Martinelli and Tibbett the draws.

Thursday afternoon (20) 'Siegfried' dropped $500 on a gross of $11,500.

Thursday evening (20) 'Don Pasquale' grossed $8,000 with a $4,000 loss.

Friday afternoon (21) 'Carmen with Gladys Swarthout drew $10,000 as a benefit with a $1,000 profit.

Friday evening (21) 'Cavalleria Rusticana' and 'Pagliacci' with Martinelli and Bonelli drew $12,500, a $500 profit.

Saturday afternoon (22) 'Fidelio' with Flagstad and Bruno Walter sold out to a $15,500 house, a profit of $2,500.

Saturday evening at a $4 top 'Aida' drew $10,000 or a $1,000 profit.

Monday (24) 'L'Amore dei Tre Re' with Grace Moore tumbled to $9,500 or a $2,500 loss.

NAT ROSS SLAIN BY DISCHARGED WORKER

Hollywood, Feb. 25.

Nat Ross, 36, one-time director of 'Collegians' and 'Leather Pushers' series at Universal, and later personal aide to Carl Laemmle and Irving Thalberg, was shot to death yesterday (Monday) by discharged employe in a Los Angeles rag factory he operated as part owner. Ross died instantly from rifle shot through heart.

Ross started his climb film biz from office boy for Lewis Selznick. Successively, he became theatre manager in New York, film salesman and then director at Universal. His 'Leather Pusher' and 'Collegians' series were top revenue getters for shorts at that time. His last film job was direction of 'Accidental Father' at Columbia last year.

Leaves widow, former Audrene Brier, film actress.

James Stewart and Ginger Rogers Loom Big for Top Player Oscars By Academy; Hitchcock Vs. Ford

Wynn's Squelcher

Graham McNamee attended a performance of 'Boys and Girls Together' at the Broadhurst, N. Y., last week, being seated well down front. Ed Wynn greeted him from the stage, which was the cue for someone in the balcony to start riding McNamee. Wynn promptly stopped the heckler by saying: 'Just a minute; one fool at a time,' pointing to himself. One of the comedian's top successes was 'The Perfect Fool.'

Pitt Burleycue's Free Use of Velez-Holman Names Jams It With BBB

Pittsburgh, Feb. 25.

Casino theatre, town's lone burlesque house, not only got a flock of customer complaints this week but also fell from grace with the Pittsburgh Better Business Bureau for a weekend advertisement on its current show. Attraction is called 'Peek-A-View' and features Ginger Britton and Charlie Kemper, rotund comedian. Latter played the Nixon few seasons ago with Lupe Velez and Libby Holman in 'You Never Know' and Casino management decided to capitalize on this fact although it barely mentioned Kemper's association with the legit musical when he was here last fall with Ann Corio, no doubt figuring strip queen could carry it alone.

At any rate, Casino's weekend ad big-billed names of Miss Britton, Kemper and added those of Misses Holman and Velez as well. It would have taken a telescope to read the small type after Kemper's name which said he was 'formerly with' the latter two femmes. Not only that, but the advertisement went into detail to identify Kemper's former fellow players, hailing Miss Velez as 'the tempestuous Mexican stage and screen madcap' and Miss Holman as 'the exotic radio and stage torch singer.'

Customers who complained that they didn't see Lupe and Libby were shown the advertisement again—this time with a magnifying glass.

'BOOM TOWN' GALLUPS IN NO. 1, AHEAD OF ACAD

Poll by Dr. George Gallup of filmgoers throughout the nation on 'the best-liked pictures of 1940' puts Metro's 'Boom Town' on top. Other toppers in order of rank are 'Knute Rockne,' 'Rebecca,' 'Northwest Passage,' 'Strike Up the Band' and 'The Fighting 69th.'

Gallup survey, set for release today (Wednesday), was conducted to coincide with Academy awards, which will be made in Hollywood tomorrow night. It includes pix released between Jan. 1 and Nov. 30. List of 100 was shown respondents with the question: 'Are there any pictures here which you especially liked?' 'Rebecca' is the only one among the top six which is among 10 nominated for an Acad Oscar.

Interesting distinction was made by Gallup by separating frequent (once a week or more) from infrequent theatregoers. Faves of the former group coincide almost exactly with the best six list as a whole. 'Rebecca,' however, is top choice among group which is held to be more discriminating because of its less frequent attendance. 'Boom Town' was second in this list, followed by 'Passage,' 'Rockne,' '69th' and 'All This and Heaven Too.'

Hollywood, Feb 25.

With the extras again holding the balance of power in the selection of Academy achievement winners, only two standouts appear on the eve of the gala affair this Thursday night (27) in the Biltmore Bowl. It is pretty generally conceded that James Stewart will be handed an Oscar for his outstanding performance in 'The Philadelphia Story,' and that Preston Sturges and his 'The Great McGinty' will have no serious opposition for the best original screenplay.

It's a photo finish in most of the other classifications, with long shots standing a good chance in several of them. While the extras hold plenty of voting power, many of them are peeved at failure of the Screen Actors Guild to give them a vote on policies, and are refusing to mark their Academy ballots. This makes it even more difficult to predict winners in advance.

'Town' and 'Correspondent'

While David O. Selznick's 'Rebecca' and Darryl F. Zanuck's 'The Grapes of Wrath' are certain to garner a flock of votes, the wise boys are insisting that it will be a close race between Sol Lesser's 'Our Town' and Walter Wanger's 'Foreign Correspondent.' The latter is given a slight edge because of the military fervor sweeping the country at this time. It is an open pay-off, however, with the number of extras voting determining the winner.

Other nominations for the award for the outstanding production are 'All This and Heaven Too,' Warners; 'The Great Dictator,' Charles Chaplin; 'Kitty Foyle,' RKO; 'The Letter,' Warners; 'The Long Voyage Home,' Argosy-Wanger-UA; 'The Philadelphia Story,' Metro.

James Stewart appears to be already in so far as the Oscar goes for the most outstanding performance by an actor. If the preliminary

(Continued on page 55)

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Freer Interchange of Stars Among Studios Has Helped Pix Quality

Increased interchangeability of stars among studios, which has developed during the past few years, has greatly improved the quality of film yarns. Whereas producers in the past have frequently been hogtied in their selection of stories because they have had to tailor them to their own stars, they now have greater freedom in picking a property on its story value alone.

That's the opinion of William J. Fadiman, eastern story editor of Metro. He points out that in years gone by, yarn after yarn with excellent film potentialities came into story departments and had to be discarded because the right players for them were on someone else's lot. Or, if the studio found it had the perfect male lead for the story, it also discovered the vis-a-vis was under contract to a competitor.

That situation,' Fadiman said, 'has now been pretty much eliminated by two things. First is the willingness of studios to lend or exchange their stars and the second is the large list of freelancers now available or people who are under contract to a studio for only one or two pictures a year and can be hired when not otherwise engaged.'

With the problem of star availability diminished, Metro story editor declared, greater concentration can be given to the numerous other points which must be looked for in choosing a book, play or original for filming. He listed more than a dozen angles for which all major studios, and the indies too, look in making selections. These include:

1. Commercial significance. Has the story had great pre-selling as a best-selling book, magazine serial or Broadway play?

2. Censorability. Would the story have to be chopped to death to get it past the Hays office and state bodies?

3. Possible series value. Is the yarn, after the characters have been established, good for sequels?

4. Story values. These include emotional impact, dramatic friction, character conflict, suspense, climaxes, subordinate characterizations, comedy relief and contrast, topicality of theme, universality of theme, background and setting, probable production cost and writing cost including original purchase price.

DECREE UPS 20TH STAFFS

Hollywood, Feb. 25.

Imminent operation of the consent decree has resulted in heavy payroll increases in three departments at 20th Century-Fox.

Personnel has been doubled since last year with 82 actors, 12 associate producers and 46 writers now being carried.

Col. Tones Down 'Thing Called Love' Following Joe Breen's N.Y. Huddles

Trouble over so-called spicy screen fare flared again last week when a Catholic church movement condemned 'This Thing Called Love' (Col.) and Joseph I. Breen, No. 1 trouble-shooter for the Hays office's Production Code Administration, hurried to New York for confabs with Columbia officials over the picture. Columbia's home office execs accepted the suggestion that certain changes be made, and the revamped version of the production was scheduled to go before the church's reviewing group late yesterday (Tuesday).

Breen shoved off for the Coast Monday (24).

In It All the Time

Hollywood, Feb. 25.

First freelance job for Rosemary Lane, former star at Warners, is one of the top spots in 'Show Business' at Columbia.

She recently returned from an eastern stage tour.

Blues Born All Over

Hollywood, Feb. 25.

B. G. De Sylva, new production boss at Paramount, assigned Victor Schertzinger to direct 'The Birth of the Blues,' slated to start in April. Cast is topped by Bing Crosby, Mary Martin and Carolyn Lee.

Crosby's next thereafter will be an untitled musical with tunes by Irving Berlin. Mark Sandrich will produce and direct. He is directing 'Skylark' on the Par lot.

Rep.'s $15,000,000 For '41-42 Program Of 66; 6 at $1,000,000

Hollywood, Feb. 25.

Republic is spending $15,000,000 for its '41-42 lineup of 66 pictures, which is an increase of $5,000,000 over last year's outlay, as announced by Herbert Yates today (Tues.) at the western quarterly sales meet at the studio. Output comprises 32 features, 30 westerns and four serials which includes six de luxers to cost up to $1,000,000 each.

Yates said world premieres will be held for 'Lady From New Orleans' in N. O. and 'Sis Hopkins' at a site to be selected.

Accompanied by Jas. R. Grainger, sales head, Yates leaves tonight for the Frisco session to be followed by meets in Atlanta, New York and Toronto. Yates and Grainger later will personally tour 33 key cities in this country, six in Canada.

M-G'S RAY MacDONALD AND ADELE LONGMIRE

Ray MacDonald, of the terp team of Grace and Ray MacDonald, has been inked by Metro. He won't leave for the Coast, however, for a couple of months,' as studio's first spot for him is in 'Babes on Broadway,' which will hit the cameras about that time. Dancer nevertheless has been placed under a term, not one-picture, pact.

Adele Longmire, ingenue lead in 'Old Acquaintance,' current Broadway legiter, has been optioned by Metro. She has a run-of-the-play contract, Metro getting first crack at her services when 'Acquaintance' closes.

Ski-Minded Hollywood Builds $1,000,000 Run

Hollywood, Feb. 25.

With Hollywood becoming strongly ski-minded, around $1,000,000 is being subscribed for a ski course and winter resort within three hours drive of here.

Steve Hanagan's campaign in Sun Valley, with film names tied in, has made skiing the most highly publicized winter sport on the Coast.

Still Flailing Away

Hollywood, Feb. 25.

'Underground,' an anti-Nazi story, rolled today (Tues.) at Warners with Vincent Sherman as director.

Picture is based on a tale by Oliver H. P. Garrett and Edwin Justus Mayer.

Comedy 'Whaddaya Hear From Mob' Film Cycle?

Run of humorous gangster films appears to be on the verge of flowing from the Hollywood tap. Success of 20th Century-Fox's low-budgeted 'Tall, Dark and Handsome' has inspired studios to a search for more stories like it. First film kidding the bang-bang boys was Damon Runyon's 'Slight Case of Murder' several years ago, although that apparently created no demand for more at that time.

Another 'whaddaya-hear-from-the-mob.' Warner Bros.' 'High Sierra,' which has been hitting good grosses, has also keyed some interest from the studios in gangster epics. 'Sierra,' however, is more on the serious side, and most story departments are anxious to get gangster yarns with the kidding angle. Producers feel that the serious ones, unless topnotchers, are in danger of smelling of corn.

Paramount holds one humorous trigger tale and, like other studios, is in the market for more. Its story is 'Buy Me That Town,' in which a couple of the high-powered racket boys come in and buy up a whole city. An original, it is by Harry Gourfain, stageshow producer at WB's Strand, N. Y., and Murray Boltinoff and Martin Rackin, New York newspapermen.

NW INDIES STOP PAYING ASCAP FEES

Minneapolis, Feb. 25.

Following the advice given by S. P. Halpern, local attorney, at the recent Northwest Allied convention here, many theatre owners in the territory have discontinued paying ASCAP fees.

Halpern tells the exhibitors that ASCAP can't legally license recording rights and then license the reproduction rights of a tune. Under a ruling in the state of Washington, too, he points out ASCAP has been adjudged a monopoly and has no standing in court in case it sues in an effort to collect.

The local lawyer has been retained by some of the exhibitors to defend them in case ASCAP does bring suit.

Gen'l Motors Futurama Encores in Radio City

Three of the larger sections of the General Motors Futurama, ace free attraction at the N. Y. World's Fair in 1939-40, will be the main attraction at the Museum of Science & Industry, Radio City, starting March 15. Approximately half of the hall housing the museum has been set aside for the G-M exhibit, with artists and workmen now installing and polishing up the miniature sets.

Steel City, the Highways of Tomorrow and the Grand Canyon scenes of the Futurama will be included in the transplanted exhibit. It is costing more than $20,000 to instal it in the Radio City museum.

Long and Short of It

Hollywood, Feb. 25.

John Payne, who stands well above six feet, is picked as the leading man for five-foot Sonja Henie in 'Sun Valley' at 20th-Fox.

Currently Payne is working in 'The Great American Broadcast' at the same studio.

Other News Pertaining to Pictures

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Radio reviews: Ann Dvorak, Tito Guizar, Eddie Cantor, 'Carnival for Britain,' Sarah Churchill, 'People with Light' ..... Page 28
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Pat Rooney bankrupt ..... Page 45
N. Y.'s 'Carnival for Britain' ..... Page 46
Joe Coyne dies in England ..... Page 50
Equity's stand on army shows ..... Page 51

Don't Practice What They Preach

Exhibs welcome suggestions from community groups on bookings—except that the groups themselves too often fail to patronize the films they recommend. That was the complaint registered last week by Herman M. Levy, exec secretary of the Motion Picture Theatre Owners of Connecticut. He made it in a q. and a. session with 110 delegates to the community motion picture council of the National Board of Review in New York.

'Make yourself a part of the theatre man's program all year round,' Levy urged, 'instead of coming to see him only with complaints or in asking for favors. The exhibitor welcomes suggestions on pictures, provided you come to see them after he books them.'

Levy explained details of the consent decree to the delegates, mostly femmes, as it applies to their work with t' theatres their communities.

Albany Wonders If N.Y. Censors Veering to Greater 'Liberality'

Albany, Feb. 25.

The action of Board of Regents in overruling Irwin Esmond, director of motion picture division, State Education Dept., on 'Kidnapping Gorillas,' and upholding him on 'Life on the Hortobagy,' caused a difference of opinion on Capitol Hill as to whether the Regents were shifting to a more 'liberal' viewpoint. The clear-ahead for Jewel Productions' appeal on 'Kidnaping Gorillas,' coupled with green-lighting in recent months of several other films which had been red-signaled, led some observers to believe Regents were not following Esmond's judgment as unswervingly as they and education commissioner before them, long did.

Lifting the ban on 'Ecstasy,' after several years of repeated refusal to do so, seemed to certain sideliners proof of this fact. However, the version the Regents okayed was a deleated one, with the big punch scene excised.

Last week's action on 'Gorillas' was viewed by the above observers as further evidence of Regents' new attitude. Several well-informed persons think correct explanation is that Regents is taking things a little more into its own hands, but that it neither has nor will make any decided swingaway from a viewpoint, line of reasoning, which has long prevailed. None of films on which there have been recent reversals was so-called major product.

Esmond was pictured in the press at time Regents issued a license for the first-rejected 'Yes, My Darling Daughter' (WB) as having been overruled. Insiders, however, always insisted this was not actually the case; that changes in several sequences were made, and that Regents, with Esmond's approval, then granted a permit. Main points of difference between that and ordinary appeals was the speed with which appeal on 'Darling Daughter' was handled. This was supposed to have been due to Warners' large investment in the picture and the fact it had already been booked and advertised for showing in New York city.

The Regents, in supporting Esmond's ruling on 'Life on the Hortobagy,' denied an appeal by Eureka Productions, Inc. This film had been up for consideration before. Neither Esmond nor the Regents agreed with the first claim it did not require license for public exhibition, because it was really a newsreel. The picture was held not licensable, under Education law.

Esmond has a perfect court record on film appeals.

San Diego's Defense Boom Makes Theatre Help Scarce

San Diego, Feb. 25.

Shortage of labor among ushers and doormen is worrying film house operators here, the result of high wages paid to young men in the airplane and other defense project factories which have sprung up in this sector.

George Bowser, chief of the Fox-West Coast theatres in the border city, has been importing employees from Long Beach and other northern cities to fill the employment gap. Some of them have slept the stages after working hours until they could arrange for regular sleeping quarters. House managers and assistants, who draw higher wages, are not affected by the labor turnover, but the lesser theatre help is scarce.

Dietrich and Leisen Packaged With 'Miss Madden' for Columbia

Hollywood, Feb. 25.

Charles K. Feldman, of Feldman-Blum agency closed a package deal with Columbia combining Marlene Dietrich as the star, Mitchell Leisen, producer-director, and James Edward Grant's 'Miss Madden Is Willing' the vehicle. Agency, additional to placing its clients, participates in the profits of the picture. Production start is set for June to permit Leisen and Miss Dietrich to fulfill previous commitments.

Feldman recently consummated another such group deal at Universal comprising Dick Powell and Joan Blondell, Leigh Jason, director, and the story, 'Model Wife.' Similar arrangements are being negotiated with other studios.

MARLENE LOSES POINT IN $98,750 PIX SUIT

Marlene Dietrich lost an attempt to strike out part of a complaint against her in N. Y. supreme court brought by Forrester-Parant Productions, when Justice Aaron Steuer denied her plea. The actress claimed that those parts of the complaint showing the efforts devoted by plaintiff to securing a story for her, the many changes made to meet her convenience, the expenses involved in hiring script writers, directors, purchasing of stories, etc., would tend to prejudice her at the trial.

Miss Dietrich says that these statements will create sympathy for the plaintiff, and show her as arbitrary and capricious, while at the same time beclouding and obscuring the real issues. Plaintiff asks $98,750 damages, claiming the actress breached a contract with it to make a film in France.

3d Filming for 'Twin Beds'

Hollywood, Feb. 25.

Edward Small borrowed Ralph Murphy from Paramount to direct 'Twin Beds,' based on the old stage comedy.

Play was filmed in 1920 and again in 1929.

WB SIGNS REFUGEE AUTHOR, NEUMANN

Alfred Neumann, refugee writer who arrived in New York last week from Lisbon, has been pacted by Warner Bros. He'll leave for Hollywood shortly after the opening on Saturday (1) of 'The Mad Emporer,' French-made film, at the 55th St. Playhouse, N. Y.

Neumann is the author of the novel, 'The Patriot,' from which 'Emporer' was made. It was also filmed, under the original 'Patriot' title, by Paramount in 1928 with Emil Jannings in the role currently played by Harry Baur. Gilbert Miller also did a legit version on Broadway.

Neumann is slated to do historical script for Warners.

PRIME '41-42 SALES PLANS

Despite the 1940 Consent Decree, Rep. Boren (Okla.-D.) Would Start Congressional Probe Into Pix Biz

Washington, Feb. 25.

New legislative gadfly is buzzing around the film industry. He's labeled Representative Lyle H. Boren, an Oklahoma Democrat, and his stinger is a resolution for a penetrating special Congressional probe of all the complaints and squawks about every phase of the business from treatment of extras to lobbying.

While declaring emphatically that he is not aiming at anybody or anything in particular, Boren explained the reason for his proposal Monday (24) is a conviction that even if lived up to, the 1940 consent decree won't correct everything that appears to be wrong with the industry, along with a feeling that some sort of 'impartial' study of all aspects is imperative. There is so much smoke that something must be burning, he figures.

Introduction of the measure creating a select five-man House committee with power to haul reluctant witnesses to the stand astounded industry observers around the Capitol. For word was passed last year that Boren had given up the thought of prescribing a panacea. (Another whisper was that certain major company legmen had dug up some definitely embarrassing personal dope and the Oklahoman was aware of their discoveries).

Effectually contradicting himself, Boren declared he is not scalphunting and professed to have

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U'S '41-42 SALES DRIVE STARTS

Machinery for the immediate negotiation of 1941-42 deals has been set in motion by Universal, earliest in advance of deliveries that the industry has known and, for the first time with U, with the complete coming season's program designated. Releases will not begin until Sept. 1, seven months off.

Salesmen are out to contact accounts following the recent national convention in Chicago and district regionals held last week. F. J. A. McCarthy, eastern division sales chief, returned to New York Monday (24) after holding regional meets in Cleveland and New Orleans. He also had a meeting in N.Y. prior to the other two but before coming back to the h.o. made a stop at Dallas on sales matters.

Bill Heineman, western division manager, held a regional session at Chicago and another in San Francisco last week. He is following this up with a tour of some of his western territory before getting back to N.Y.

Company will have 44 features, plus three extras from Frank Lloyd, as well as a series of actions and four serials.

Being the only distributor making serials excepting Columbia and Republic, U for the 1941-42 season is spending $300,000 more on this type of product than it ever has before. Company has made a check on radio programs, magazines, newspapers, etc., on serials as a guide.

One of its serials will be 'Gang Busters.' In order to get the title, U made a deal with Metro, which owned it, paying the latter $38,500 for the rights. Metro had planned making a feature thereof.

In the shorts division, among series which U will have for 1941-42, will be 13 two-reelers under the head of 'Personality and Name Band Musicals' which will feature leading orchestras but with regular U contract talent also thrown in for added strength. Russ Morgan stars in the first, while deal for the second has just been closed with Jan Garber.

Tribute to Frank Freeman

Hollywood, Feb. 25.

Film execs paid tribute to Y. Frank Freeman, reelected president of the Producers Association, at a dinner hosted by Louis B. Mayer. Other guests were Edward Mannix, reelected vice-president, and Cliff Work, second v.p.

In addition to Mayer, the speakers were Samuel Goldwyn, Will Hays, George J. Schaefer, Harry M. Warner, Mendel Silberberg, Mannix and Work.

'CITIZEN KANE' RELEASE DATE NOT YET SET

With release date of Orson Welles' 'Citizen Kane' the day after tomorrow (Friday), not a single playdate, roadshow or otherwise, has been set for the film. That's taken to indicate trouble ahead on the picture which William Randolph Hearst alleges too closely parallels his own life. Hearst is reported bringing much pressure on the RKO directorate to shelve the film.

Meantime, RKO prez George J. Schaefer paid a quickie plane visit to New York, arriving Friday (21) and leaving Monday (24) after confabs with important board members and other execs of the company. 'Kane' is understood to have been foremost in the discussions. Schaefer, Welles' strongest partisan within RKO, is reported to have said Monday that developments within the next few days, following his return to the Coast, will 'probably make it possible to release the picture within two weeks.'

Seattle Ban Off in One Week

Seattle, Feb. 25.

The ban on RKO publicity in this burg, on the part of Hearst's rag, the Post-Intelligencer, lasted just two weeks, and then was lifted without explanation. The trouble started over RKO's 'Citizen Kane.'

The theatres reciprocated in kind by cutting down space used in ads for RKO pix. Anyhow it's back to normalcy now for RKO stuff in the P.I.

LEMAIRE AT PAR AS PROD. AIDE TO DESYLVA

Hollywood, Feb. 25.

Rufus LeMaire has been brought into the Paramount executive setup as aide to B. G. DeSylva, head of production.

Recently casting head at Warners, LeMaire has held executive posts with Pandro Berman at RKO and Charles Rogers.

UA Options Rowland For Three More Pix

Hollywood, Feb. 25.

United Artists took up its option on three more features to be produced by Richard A. Rowland, following his first picture under the contract, 'Cheers for Miss Bishop.'

Next film is 'Battle of Britain,' on which Courtney Fitzsimmons is doing a treatment.

M-G, RKO OF 'BIG 5' WILL HOLD MEETS

Par, WB and 20th Probably to Do the Same Despite Consent Decree's Restrictions—U Stole a March by Its Last Week's National Conclave in Chicago

BLOCKS-OF-5 BY JUNE

Although not all of the five majors under the consent decree may announce a full year's lineup for 1941-42 when the new selling becomes effective, sales conventions are planned by at least two, Metro and RKO. The others have made no decisions in this direction but probable that they will hold the usual sales powwows, either on a national scale or in the form of regionals. These are Paramount, Warner Bros. and 20th-Fox.

Meantime, the distributors outside of the c.d., are trying to steal a march on the Big Five by setting up their '41-42 programs at a very early date and getting the salesmen rolling. Universal was first with a national meeting in Chicago early this month followed by five regionals, while also rushing plans is Republic. Company started the first of five regional meets at Los Angeles Sunday (23), announcing a program of 30 features, 30 westerns and four serials. Second session will be in Kansas City tomorrow (Thurs.) and Friday (28), the third at Atlanta, March 3-4, fourth in New York

(Continued on page 53)

F.D.R.'s Gag-Press Hint May Cue Pix Censorship?

Federal censorship of a limited sort was forecast for motion pictures last week by President Roosevelt's declamation against newspapers revealing military secrets, in the opinion of film industry experts. While state censorship laws attempt to curb morals in films, any national censoring initially would be confined strictly to withholding information about the army, navy, marines, and all other national defense.

Motion picture company executives were astonished by the bold stand assumed by President Roosevelt as regards freedom of the press, with its implied threat that if newspaper publishers were unable to curb publication of military secrets, this matter would be kept out of public prints by some other means. Full import of this escaped few film executives.

Censoring of newsreels as far as military material is concerned has been going on for several months, it was admitted in N.Y. this week. All stories concerning the navy, marines, army or national defense has been brought under U.S. surveillance as result of direct orders from the Federal Army regarding photographing of military material.

Just how far Federal censorship will extend is problematical. But once the opening wedge is made on subjects of military concern, there are many in the trade who fear that such censorial proclivities could extend to all types of screen subjects.

BOBBY NORTH'S 'BACHELOR'

Hollywood, Feb. 25.

Next picture by Robert North, associate producer at Republic, is 'Bachelor for a Day,' a member of the Higgins Family series.

North is winding up the Judy Canova starrer, 'Sis Hopkins.'

$40,000,000 Frozen Picture Money In England, Australia, New Zealand; U.S. Pix Worrying How to Thaw It

Problem of dislodging the vast amounts of coin frozen in foreign countries is presently receiving the undivided attention of many major companies. With nearly $40,000,000 of American film distributors' money frozen in the British Isles, Australia and New Zealand, U. S. film companies are assuming a realistic attitude concerning the question of remitting this coin to the United States; namely, that it is better to suffer a 20-40% discount on the total amount than wait until later and possibly suffer a more severe loss.

Consequently, several film companies are watching developments and the opportunity to make deals whereby part of this frozen money can be remitted to this country. British interests have numerous investments in U. S. which are rated as being in none too liquid condition. Thus with no ready buyer, the government of Great Britain often is in the market for a means of liquidating property holdings in America with the least possible loss.

Such deals have come under the surveilance of several major companies in recent weeks. These would incorporate the takeover of properties with no present ready buyer even if the film company suffered a present loss from the currently pegged rate of $4 per British pound.

In some such deals recently mulled transactions have been set up whereby $600,000 in American dollars would be paid out of frozen money plus 100,000 in pounds with only $3 realizable on the latter. Thus, $900,000 of the original $1,000,000 would be remitted to this country but even at this disparity, film companies feel they are making economical moves because the quotable parity dropped to $2.97 per pound even in the past year.

Same situation applies to Australi

(Continued on page 15)

% Patriotism

Hollywood, Feb. 25.

Several agents are slated to be hauled on the carpet by Artists Managers Guild for 'cutting in' on the clients of a percenter tabbed for military service. No sooner did the word get around that the agent had been apprised of his early conscription than a half dozen fellow workers started putting the arm on his list.

AMG will ask an explanation of the unethical conduct.

KORDA DENIES STYMIEING GOLDWYN

Denial that any demands by him are holding up the departure of Samuel Goldwyn from United Artists was made by Alexander Korda Monday (24). Korda arrived in New York that day from the Coast. He brought with him a print of 'That Hamilton Woman,' which he just completed.

UA producer-owner refused to amplify his statement anent Goldwyn, except to say that his demands were no different from those of the other three owners involved. He declared he was leaving things up to his attorneys in Hollywood, who are working with Goldwyn's and UA's counsel on a solution.

Korda, it is said, had held up the deal approved by other owners for release of Goldwyn by demands that if the latter is bought out Korda be freed of any further payments on his 20% stock interest in the company. Korda bought the stock several years ago on basis of paying for it out of dividends.

Korda will be in New York for about a week. He'll work with his eastern rep, Steve Pallos, UA pubad chief Monroe Greenthal and sales head Arthur Kelly on remainder of advertising and selling campaign on 'Woman.'

PAR SELLS $2,492,800 OF 3¼% DEBENTURES

Paramount has made arrangements to sell $2,492,800 worth of 3¼% convertible debentures to five banks, the money obtained to be used in bettering the company's cash position. These debentures are the authorized but unissued ones. Originally reported that the issuance of the bonds was tied up with the contemplated plan of Par to retire the first preferred stock but this was denied this week. Proposal to call in the remainder of the first convertible preferred is reported still pending.

N. Y. Stock Exchange approved the listing of the debentures plus 74,784 additional shares of Paramount common needed to cover the conversion privileges carried by the debs. Debentures go to the banks at $95.20 plus interest from Sept. 1, 1940, to date of delivery to the banking institutions.

Loew's Trip West

Arthur M. Loew, head of Metro's foreign department, left for the Coast over the weekend. He will look at new product and huddle with studio executives. Loew plans being gone from N. Y. about three weeks.

On his way to Hollywood Loew will stop off in Tucson to visit his son.

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CON. LAB, RCA BANKROLL PRC

Deal was closed last week between Producers Releasing Corp. and Consolidated Film Industries by which latter will advance coin to partially finance remainder of PRC current season's output as well as all of the 1941-42 product. Loan will be in addition to laboratory credit. Participating in the deal is RCA, which will advance credit on recording.

PRC will turn out 63 pictures next year, including 37 features and 26 westerns, according to O. Henry Briggs, prez of the company, who closed the Consolidated deal. One picture under the financing agreement has already been completed and is about to go into release. It's 'Federal Fugitives.' Three features and two westerns are to be started in March.

Briggs will leave Hollywood on Saturday (1) for New York, stopping off en route at PRC branches in Dallas, Charlotte, Atlanta, Washington and Philadelphia. He'll confab with franchise-holders.

Deal has been closed by Leon Fromkess, PRC foreign manager, for distribution of the outfit's product Down Under, British Empire Films, Ltd., will handle PRC pix in Australia, New Zealand and Tasmania. Shipments will start immediately.

Richmond Follows Through

Hollywood, Feb. 25.

T. H. Richmond, indie producer closed a deal to make another picture, 'South of Panama,' for Producers Releasing Corp. Filming starts March 10, based on a story by Sidney Sheldon and Ben Roberts.

First Richmond production, recently completed, was 'Caught in the Act.'

SETTLEMENT OF EXHIB SQUAWKS PRIOR TO ARBITRATION ALREADY EVIDENCED

Baltimore Theatre Man's Beef (the First Filed) Probably Will Never Reach Trial Under Arbitration System—14 Complaints to Date

Settlement of a vast number of disputes between exhibitor and distributor, either before or after they are filed for arbitration, is predicted. An instant cue in this connection is provided by the first complaint brought under the provisions of the consent decree and the arbitrating machinery placed into effect Feb. 1.

Understood on inside that this complaint, filed with the Washington board by a Baltimore exhibitor, may not reach a hearing following overtures made by distributors and discussions which it is said are being held with a view to settlement. Case, meantime, has not been set for hearing and latter, as a result, may be held up or postponed in order to give both sides an opportunity to effect an 'out-of-court' agreement.

The Baltimore case, filed Feb. 7, was brought by Thomas D. Goldberg, operator of the Walbrook there, and accuses 20th-Fox and Warner Bros. of granting unfair clearance over him to the Forest Park Theatre Co. and the Frank H. Durkee chain of local Balto nabes. Complaint cites that Metro and Paramount do not enforce the same protection.

Balto Case as Cue

Interest is aroused over the Baltimore developments because of the possibility that hundreds of controversies under the c.d. may be settled without recourse to actual arbitration and the use of the appeals board to which losers may take their cases. Among other things, if many complaints, either knotty or superficial or even trifling, may be threshed out between the parties involved, then considerable time and expense will be saved.

There is also the possibility that a case may go through a hearing with a decision, depending on how the arbiters act, less favorable than if a heart-to-heart discussion of the situation were held on the outside in an effort to reach some kind of an agreement or compromise. However, the expectation is that arbitrators, carefully selected by the American Arbitration Assn. will render the fairest possible decisions since the AAA has gone to great pains to choose men from important walks of life. They have qualified only when having no present or past connection with the film industry. On the other hand, as the trade has noted, the arbiters are not familiar with the intricacies of the picture business and they may not at once qualify as experts.

This is also true of the board managers, none of whom also may have had any association directly with the industry. Reports that one was formerely in pictures, though not stating so in his application, was investigated and declared to be unfounded. Any arbiter against whom similar suspicions are aroused will be similarly probed, since the AAA is very determined that all its tribunal members shall be non-partisan.

C. V. Whitney, president of the AAA, Paul Felix Warburg, chairman of the film administrative committee in the association, and others were reported highly pleased with the caliber of men already obtained to sit on cases despite the fact they will receive only $10 a day. Only two out of the large number contacted for service on panels declined because of the fee but many, who were willing to act as arbitrators, regretted they could not accept because of being tied up on work bearing on the defense program.

Panel of 53 arbitrators already organized for New York will be increased to 60 shortly. All of the remaining 30 boards will have 20, 30 or 40 arbitrators but so far only 10 or a few more have been set excepting in Albany and Indianapolis, where prescribed minimums of 10 are yet to be announced.

14 Complaints So Far

To date 14 complaints have been filed but except for the one from Baltimore nothing has been reported concerning possible settlements though such steps may be taken.

In connection with amicable adjustment of disputes without resort to arbitration, it is believed many exhibs will file complaints in order to bring attention to their particular grievance or grievances. Some such cases may even suggest the desire for a settlement so that the cost of hearings may be avoided, although 'nuisance cases' as often brought in the courts are likely to be rare because distribs or co-exhib defendants, as intervening parties, would then permit arbitration hearings.

An angle taken unofficially in AAA quarters is that if complaints are minimized and settlements additionally reduce the number of hearings this amounts to a tribute to the arbitration method of eliminating controversies in business. Department of Justice will regard settlements out-of-court as indicating that the decree, with its arbitration provisions, is serving a highly desirable purpose, it is expected.

The appeals board, to be located in N.Y., will be ready to function March 12, on which date Whitney and others of the AAA will host the three members, Van Vechten Veeder, George W. Alger and Albert Putnam, at a cocktail reception attended by distribs, exhibs and newspaper people.

Cases so far filed for local hearings may be appealed to the upper board by the losing party on payment of a $50 fee. There are three each in Washington, two each in Detroit, Chicago and New York; one each in Denver, New Orleans, Boston and Cleveland. All are on clearance excepting Cleveland and New Orleans, which concern the right to some run.

On Friday (21) the Esquire, Great Neck, L. I., filed a complaint against Par, Metro, RKO, Warners and 20th, alleging unfair clearance is being given the Playhouse there, operated by the Skouras Bros. Clearance that house has over the Esquire is not noted in the complaint. Earlier last week the Regent, Brooklyn, filed against these same distributors, seeking abrogation of the seven days clearance which is given the Apollo, which is a mile away from the Regent and formerly had been day-and-date on pictures with the latter, filed with the Detroit branch of the Arbitration Board, one of the A groups.

Action here had not been expected so fast although Irvin Yackness, clerk of the board, reported that a large number of Detroit operators obtained forms on which to make their complaints of booking grievances.

The complaint, a double-headed one, preferred charges against Warners, Paramount, Loew's, RKO and 20th-Fox. While stemming out of the complaint of the Midtown Theatres, Inc., operators of a chain of houses here, one portion of the complaint came through Julius D. London, one of the owners, who cited the case of his Booth theatre, specifically naming Vitagraph (WB) and Paramount.

He demanded arbitration claiming that unreasonable clearance was given the Delthe theatre, located near his Booth, adding that the favored house also was given clearance

(Continued on page 21)

First Milwaukee Beef, On Zoning-Clearance

Milwaukee, Feb. 25.

Zoning and clearance are both involved in the first case being brought before the local tribunal of the American Arbitration Ass'n under the consent decree setup, and both exhibs and distribs are awaiting the outcome. This first case in a measure will set a precedent, and John L. Loell, head of the Milwaukee arbitration office, believes from inquiries that have been made other cases will follow in rapid succession now that the ice has been broken.

Complaint in the initial case is made by Lee Macklin, operator of the Grand and Mermac theatres in New London, Wis., members of the Independent Theatre Protective Association of Wisconsin and Upper Michigan, which is backing him in his action and which is directed against all producer-distributor signatories to the consent decree.

Macklin's complaint is that Appleton, key town in his area, holds up product far beyond the customarily alloted time, thus delaying his showing of pictures until they have lost their newness or been shown in adjacent zones to the detriment of his business, prospective patrons journeying into this adjacent territory to see films instead of waiting for them to play his houses.

Authorized practice is for key towns to play pictures 30 days after the release date, showings in subsequent run towns to follow within specified periods. Macklin claims Appleton has held up product far beyond the customary 30 days, thereby setting back his use of it. New London is approximately 21 miles from Appleton, and Macklin avers there should be a rezoning under which he would not be subject to the restrictions imposed by Appleton holding up product.

Two Detroit Cases

Detroit, Feb. 25.

Partiality, unreasonable clearance and arbitrary rates of film rentals which amount to refusal of product are the burden of the first complaint

POOR'S REPORT OPTIMISTIC ON PIX

With both theatre attendance and boxoffice receipts expected to increase sufficiently to offset reduced income from the foreign market, outstanding earnings improvement is forecast for motion pictures this year, according to Poor's Industry & Investment Service. Production costs are expected to stay at levels permitting satisfactory profit margins, forecasting an improvement in net earnings.

Poor's claims that for 1941 there is reasonable assurance that domestic theatre attendance and receipts will far surpass those in 1940. It also cites that even if there is a 50% decline in foreign film rentals, a rise of less than 7% in total U. S. boxoffice receipts would compensate for this dip.

Inclination of the motion picture public to favor single rather than double-feature programs is a trend noted by the service. On this Poor's report states: 'Should the industry decide the time is ripe to discontinue the practice of servicing the double-feature market and to concentrate on the production of fewer but better quality, single features, closer control over operating costs might easily result. The manifest benefit to net earnings, should boxoffice tariffs be held at present levels, would go far in improving the industry's internal status.'

At the same time, the service points out, theatre construction prospects presently are mediocre. It states that there is small incentive to build new film outlets or enlarge present ones even though there are prospects of greater theatre attendance in the U. S. Poor's predicts that no sharp expansion in number of theatres is expected until cinema attendance reaches much higher levels.

Studio Contracts

Hollywood, Feb. 25.

David O. Selznick signed Peter Viertel to scripting contract.

Sidney Bidell inked writing deal at Paramount.

Ray Middleton drew acting ticket at Republic.

Metro handed Leon Gordon contract.

Georgia Carroll signed to player contract by Warners.

Superior Court approved Bettye Avery's minor acting deal with 20th-Fox.

Warner renewed Brenda Marshall's contract.

20th-Fox took up its option on Hermes Pan, dance director.

Republic signed Joe O'Donnell as serial writer.

Linda Darnell's new contract with 20th-Fox was approved by Superior Court.

Chill Wills inked player deal at Metro.

Bingo Prizes Come Home to Roost At Lefty's British Bundles Days

By Joe Laurie, Jr.

Coalacres, Cal., Feb. 25.

Dear Joe:

Well, at last Aggie and Junior came home from Hollywood and I was gladder to see them than an A picture. They both look fine and their trip did us all a lot of good. I am glad to say one thing for the kid, him making a picture in Hollywood didn't swell his head any; he still speaks to me.

Aggie is as full of dirt about Hollywood as a vacuum cleaner. Of course it's just a lot of stuff she's heard from the extras and the folks around the lot, and they usually know the lowdown on the highups, but I don't believe the stuff a lot of people gab about the guys and the gals that are away up in the dough and the billing. They're easier to shoot at than a cow in the zoo. Aggie don't believe less than half either but she gets a great kick outta knowing 'the inside'.

It was the same when we was in vaudeville, everybody liked to get something on the headliner. And a lot of the headliners were swell people, especially when they laid off. I never envied a guy that was on top. I figured it's alright to climb the ladder of success but somebody has to stay down at the bottom to hold the ladder. But Aggie sure kept her gossip stations (ears to you) wide open while she was in Hollywood and she keeps me awake nights telling me whose gonna have babies, whose gonna split up and why, whose wetting their tonsils with joy juice too much, whose options aren't gonna be taken up and why. It's better than counting sheep.

You know dirt is like love, you can't enjoy it by yourself. If women didn't tell secrets us men would never know anything. The only secret a dame really tries to keep her age, and even then a lot of 'em try to keep it away from their own mothers. What I'm getting at is I gotta listen to Aggie because it gives her a great kick to know somebody else has troubles, it all ends up by us saying, 'They can have their dough and big names, but I'll bet they're not happy and we're a lot better off than them.' We just say it, but you know in your heart nobody cares for a ball game when they're on the wrong side of the fence.

Opposes War Camp Free Shows

Uncle Sammy built a swell camp a few miles from us and has about 10,000 rookies, 'About-Faceing,' and it's helping me plenty because when they come to town they'd even look in windows to pass time away. You know I did my bit during the last brawl and I know that entertainment is a great thing for the boys and they should have it and plenty of it, but what gets my goat is when a big bunch of stars from Hollywood come up and do shows for nuttin, they mean well, but they don't realize that they're doing a lot of brother performers outta work. They're charging admissions, so why not have some good showmen put good shows together and make a circuit outta the camps. There's plenty of troupers around that were knocked off the Theatrical Project that they can use and that can deliver good entertainment and get themselves a little dough besides and get back some self-respect instead of panhandling which they don't want to do. It would make everybody happy. You don't see a lot of shoe men go to the camps and give out shoes, or plumbers do plumbing for nothin', or candy guys or cigaret guys givin' anything away. But you can't tell actors nuthin'. I've seen guys borrow carfare to play a benefit. Maybe in the camps they would have to do four an five shows a day so that all the boys could see the show, but that's better than doing none.

I've been busy giving benefit shows and donating the house and the receipts. I gave one for the Greeks and the natives packed the joint. Then we had a Bundles for Britain Day, and I wish you'd a seen what the folks brought in—all the prizes they won from me in Bingo Nights. I don't know how a floor lamp is gonna do anybody any good in England during the blackouts.

Wrong-Size Knitting Bee

Aggie organized the women into a knitting and bandage chapter and they got their needles and upper and lower plates going a mile a minute all day. They are chatter members. Most of the dames think all soldiers are eight-ft. tall with 45-inch shoulders, that is according to some of the sweaters I seen. Then there's the dames that make sweaters that would make Little Billy wristlets, but it keeps 'em busy so what the hell.

I got the American Legion together as a Lookout Company, sort of Automobile Paul Reveres. We use the theatre in the mornings for pep talks.

Aggie sez if we did have a war here and the enemy came over they couldn't pass Ellis Island, because they have to keep them there for two weeks before they can enter the country.

I wish I was a little younger so I could take another hitch, but I guess for guys like me this time we'll go to the bottle instead of the battle.

Keep your nose tidy and give a jerk of the head to the folks for us, sez

Your Pal,
Lefty.

P. S.—Senator Ed Ford sez, 'If it wasn't for the optimist the pessimist would never know how happy he wasn't.'

PAR'S 36 WRITERS ON GRIND FOR 24 FILMS

Hollywood, Feb. 25.

Writers building on the Paramount lot is a beehive of activity, with 36 scriveners pounding out yarns for 24 pictures.

Studio has seven pictures in work and will continue that pace through to summer.

FIVE FILMS ON PROD. LINE AT METRO STUDIO

Hollywood, Feb. 25.

Start of 'The Uniform,' co-starring Clark Gable and Rosalind Russell, raises the total of pictures in production on the Metro lot to five.

Others are 'Dr. Jekyll and Mr. Hyde,' 'Billy the Kid,' 'Blossoms in the Dust' and 'Love Crazy.'

Gobs in Fancy Dress

Hollywood, Feb. 25.

Erle C. Kenton gets the director chore on 'Naval Academy,' a tale based on the training of Uncle Sam's future admirals.

Picture starts this week at Columbia.

DEC. AMUS. TAX TAKE FOR U.S., $6,483,277

Washington, Feb. 25.

Proportions of the amusement volume in December are paradoxical. The Federal take from the heavier admissions levy slumped again, according to the Treasury Department report on January receipts, but at the same time the total showed the biggest jump over the corresponding month of the prior year since the tariff was stiffened last summer.

The haul from the holiday month was $6,483,277. This was $70,694 below the Government slice of the November wicket grosses and $5,096,743 better than the take in the same stanza of 1940. The total topped collections for three of the six months since, as a means of defraying war preparation costs, Congress soaked the diversion seekers more. Only the October, November and December collection figures were better.

The jump from January, 1940, to January, 1941, was the biggest of the successive year-to-year rises dating back to application of the defense tax scale last July.

MORE UNIT PRODUCTION?

Expect Speedy Action on NW Allied's Anti-Consent Decree Bill in Minn.

Minneapolis, Feb. 25.

With Northwest Allied's anti-consent decree bill now introduced in both branches of the Minnesota state legislature, speedy action by the solons has been promised Fred Strom, the organization's executive secretary. In both the House and the Senate, the measure has been referred to the general legislation committees which have announced early hearings on it. Harry Honnemacher, chairman of the House general legislation committee, is co-author of the bill.

The bill provides that film distributors in Minnesota must offer for sale to exhibitors full season's product and grant a 20% minimum cancellation privilege, thus contravening the consent decree's groups-of-five selling plan. Forced buying of shorts, newsreels, foreigns, westerns and trailers also is made illegal in the bill.

Northwest Allied leaders point out that the measure simply would enact into law trade practices which distributors offered to independent exhibitors in a proposed code two years ago. The national Allied States' convention here, however, rejected the proposal when it was presented to it by representatives of the distributors, including W. F. Rogers, Metro sales manager.

It is known that Northwest Allied, before having the anti-consent decree bill introduced, received conflicting opinions regarding its probable constitutionality. Attorneys consulted here expressed the belief that the law could be upheld in the courts, despite the consent decree. Several eastern lawyers and the U. S. attorney general's office, however, gave a contrary opinion.

One Major Favors It

At least one of the major companies also has assured Northwest Allied that it would not oppose the bill's passage. But, it is admitted, opposition may come from some of the other companies. And the chances for the measure's enactment depends in large part on the amount of opposition which will be stirred upon and such opposition's strength, it's admitted. However, Strom and the body's leaders are confident that they will be able to put it over. Northwest Allied members now are busily engaged in enlisting legislative and laymen support for it.

Representatives of one of the major companies have intimated that they will fight the bill because, they declare, it would not be feasible to have one selling plan for Minnesota and another for North and South Dakota and western Wisconsin and the Michigan peninsula which also are serviced from here. Moreover, the Government also may line up against it because of the desire for a fair trial for the consent decree.

There also is the admitted possibility of opposition from women's, civic, Parent-Teacher and church organizations which feel that the consent decree selling plan knocks out the block-booking which they have been battling. But Northwest Allied leaders declare that they will be able to convince the reform element that the consent decree will not cure the blockbooking evils and that independent exhibitors and the public will be better off in this respect under the proposed law because of its cancellation clause.

POWER TIED TO 20TH FOR SEXTET OF FILMS

Hollywood, Feb. 25.

Tyrone Power is slated to star in six pictures during the next two years at 20th-Fox.

Stories lined up are 'Confirm or Deny,' 'Benjamin Blake,' 'The Black Swan,' 'Down to the Sea in Ships,' 'Brooklyn Bridge' and 'The Gift of the Magi.'

Getting Close

Hollywood, Feb. 25.

For years while at Republic, Sol Siegel tried to put through a picture with the title 'Doctors Don't Tell.' It was always kicked around and finally changed. Now that he's at Paramount he's making another try at his favorite title.

He figures he's making some progress with the title of his first production, 'Nurses Don't Tell,' a switch from 'Little Miss Muffett.' He's still holding out for 'Doctors' in the title.

L.A. Anti-Dirt Law Separates Legit From Pix

Los Angeles, Feb. 25.

City ordinance to regulate shows was deprived of its teeth by an agreement among the lawmakers to divide the bill into two parts, one dealing with legit houses and the other with film theatres.

New draft provides that the city sue for an injunction when a screen theatre operator is accused of exhibiting a lewd picture, but no effort will be made to prevent him from showing other films. In the legit end of the law, the house accused of putting on a lewd show will be handed a suspension of license until given a clean bill of health by the court. Agreement on the ordinance was reached at a conference representing producers, church people, talent guilds and councilmen.

GEO. SMITH IN N. Y. FOR NEW PAR POST

George Smith, appointed western division sales manager for Paramount, arrives from the Coast today (Wed.) to take up his new post, with headquarters at the home office. He was formerly district manager at Los Angeles for the Pacific Coast region.

On shifting Smith into New York in the higher sales position, Charlie Reagan, formerly western division manager, becomes assistant general sales manager. His assistant for years, Arthur Dunne, will serve in the same capacity for Smith.

Hugh Braly, district manager at Dallas for some time, is already in L.A. as head of that district.

'Dr. Christian' Series Release Away From RKO

Hollywood, Feb. 25.

Stephens-Lang Productions is shopping around for a new releasing outlet for the Jean Hersholt—'Dr. Christian' series. Deal with RKO is washing up after one more, which is sixth of the series.

Decision not to renew was prompted by the studio's demand for lower production budget in keeping with distribution costs, 'Christians' costing around $125,000 each.

Back Into the Fight

Hollywood, Feb. 25.

Edward G. Robinson has been assigned to two more action films, Quietly My Captain Waits' and 'Capt Horatio Hornblower,' at Warners.

Star recently finished 'The Sea Wolf.'

DECREE SEEN AS STIMULUS

Majors' Desire Not to Tie Up Too Much Coin in Blocks-of-Five the Main Reason for Hypo to Individual Setups

EFFICIENCY

Industry probably will see more unit production in the first year of the consent decree than at any time since before 1933. Reason for this is the desire of various distributors to let somebody else take over more production responsibility. Additional factor, of course, is that major companies do not want to have any more coin than absolutely essential tied up in features which must be sold via the bloek-of-five method.

While unit production was much in favor prior to 1933, trend away from this method of producing began back in 1934. Peak period for unit production previously was in 1922-24 period when several of the larger companies went for it in an effort to relieve some of the producing headaches. Several companies had a number of stars they wanted kept busy but at the same time they did not want to supervise so many films in work at the same time.

Desire of most majors under the consent decree is to have a steady flow of product so that there will be no delay in offering groups of five at regular intervals.

Prevalent belief just now is that better results in forming these groups can be obtained by having a unit producer or independent producing unit handle one or two in each group, thereby eliminating the need for having so much company coin tied up. It also would enable the company to concentrate on fewer A-1 vehicles designed to appeal to exhibitors.

SEE NO EASING OF PHILLY'S 'BOTTLENECK'

Philadelphia, Feb. 25.

The 'bottleneck' of film product caused by long-run films in downtown houses will apparently continue here at least until the middle of the spring, according to present indications.

The situation is causing plenty of brow-wrinkling among indie nabe operators. At first they believed the jamup of product would be eased up when 'Philadelphia Story' started moving down the line after a long-run at the Boyd, but their hopes were shattered when it was learned that 'The Dictator' would return here March 8 for a long stand at pop prices. 'Gone With the Wind' is also set for another long run at the subsequent-run Keiths. The picture has already been playing at the Stanley for about a month.

William Goldman, head of an indie chain, who is leading the protest to the distribs in behalf of the Independents, said prominent members of the Allied organization and the United Motion Picture Theatre Owners have become interested in the fight.

Goldman wrote to exchange heads two weeks ago urging that they sell away from Warners, which controls all first-run houses here, in order that pictures might be shown before they get stale.

First Post-Decree Anti-Trust Suit Filled By N. J. Indie Vs. Majors

A triple-damage, anti-trust suit against the eight major film companies, subsidiaries and the Motion Pictire Producers & Distributors of America, Inc., was filed in N. Y. federal court Monday (24) by Hillside Amus. Co., operators of the Mayfair theatre, Hillside, N. J. Action is the first of its kind to follow the signing of the consent decree in the courts, and is significantly important since the firm of Hays, Podell & Shulman represent the plaintiff. David L. Podell was formerly assistant to the U. S. attorney-general, and has been mentioned as trial counsel for the Dept. of Justice in its action against the producer-exhibitors.

This action, which repeats all the Government charges in its 27 pages, probably means, that consent decree or not, the courts will have to thrash out the issues. Also that an individual plaintiff cannot seek divorcement if the courts rule against the defendants, with legislation to correct alleged evils probably following.

Plaintiff starts off the action with a vicious attack on the Hays office, stating that the organization corporation maintained and trolled by the other defendants for the purpose of aiding and securing a monopoly in the motion picture industry in all its branches, and diverting the attention of the public and Government officials from the improper and illegal practices of the defendants.

Complaint, which bears a remarkable resemblance to the original Government suit, then launches into a description of the industry, and points out that of 92 cities in the U. S. with a population of 100,000 or over, only four have no affiliated theatres. These are Tulsa, Okla.; Fall River, Mass.; Tacoma, Wash.; and Ft. Wayne, Ind. The defendants are accused of having a monopoly in 200 of 283 cities of a population of 25,000-100,000, with these theatres providing a majority of all revenue.

The defendants control 90% of all successful features and have divided the country into zones and territories and hand out franchises to affiliates relegating the independent to an inferior position by the imposition of harsh rental terms, unfair clearance, etc. The Hays office is accused of being the clearing house for these activities. That organization is also accused of having blocked legislation in Congress and the various states which might have alleviated the conditions.

14 Charges

Plaintiff then lists 14 points which the defendants are accused of having used to break the law. These are:

1. Agreed on unfair rental terms and what percentages should be paid the independents.
2. Fixed all runs, protection, and clearance in the U. S.
3. Discrimination in favor of the affiliated theatres on contract terms, clearance, zoning, playdates, etc.
4. Forced independents to pay score charges.
5. Made up cross-license agreements among themselves.
6. Excluded independent producers from the screen time of their theatres.
7. Prevented independent theatres from operating on a fair competitive basis.
8. Intimidated independents by threats to build or acquire theatres in opposition to the independent.
9. Pooled resources in order to combat an independent who might be strong.
10. Divided all product among themselves as they saw fit.
11. Joined each other in the operation of each other's theatres.
12. Monopolized 80% of the cities with populations of 100,000 or less.
13. Created 100% monopoly in all cities with population of 1,000,000 and up.
14. Compelled independent to pay far more for product than affiliate charged.

Other charges include contract modifications, double-featuring, elimination of features already booked, contract cancellations, move-

(Continued on page 20)

OK for Sound

Hollywood, Feb. 25.

'Oo-lee-ay-lee-oo' is about to break out in the Walt Disney picture, 'How to Ski.'

Hannes Schroll, a skier and yodeler, has been fetched all the way from the Austrian Alps to slalom and yodel in the Disney sports shorts.

Friedl Won't Pay 50% for 'Gone' Or 'Dictator'

Minneapolis, Feb. 25.

Minnesota Amus. Co. (Paramount) deals for 'Gone With the Wind' and 'Great Dictator' continue to be held up because John J. Friedl, the company's president, is still adamant in his refusal to meet the percentage demands for the films and the distributors also refuse to back down.

M-G declares it will be 50-50, or nothing, for 'Gone' and Friedl says 'nothing doing.' Friedl is said to have offered United Artists 30% for 'Dictator,' with the distributor still insisting on a 50-50 split.

MAJ. GEN. MAUBORGNE TO H'WOOD ON WAR PIX

Washington, Feb. 25.

Departure of Maj. Gen. J. O. Mauborgne, chief signal officer of the U. S. Army, for the West Coast last Sunday (23) heralded an important step in the program to increase production of motion pictures for training purposes.

Gen. Mauborgne left Washington for Los Angeles, where he will confer with heads of the motion picture industry on production of films for the War Department, after the Army accepted an offer made by Y. Frank Freeman, chairman of the Motion Picture Production Defense Committee, to make available to the Signal Corps facilities of the picture industry for training film production on a non-profit basis. The first of the training pix will soon be ready for release, the War Department revealed.

While on the West Coast, Gen. Mauborghe will confer with Col. Nathan Levinson, Signal Corps Reserve; Lieut. Col. Darryl Zanuck, Signal Corps Reserve, and Maj. John Aalberg, Signal Corps Reserve—all members of the Chief Signal Officer's Advisory Committee.

NO SCHINE, CRESCENT OR GRIFFITH CONSENT

Negotiations for settlement through a consent decree of the Government's anti-trust suit against the Schine Theatres Corp., and its affiliates, have fallen through.

It is also understood that an impasse has been reached on the other two independent suits, which are the Crescent (Nashville) and the Griffith (Oklahoma City). Trial on these will follow the Schine action.

Kay the Toiler Goes 'Tillie'

Hollywood, Feb. 25.

Kay Harris, Cincinnati stenographer, gets the title role in 'Tillie The Toiler' at Columbia.

She has been secretary in WLW production department with acting experience confined to local stock.

All-Industry, Good-Will Ballyhoo Method for So. America Still Sought

Major film companies still searching for some type of radio all-industry program to build Latin-American goodwill. That the situation remains status quo and probably will for some time was revealed at the session of major company foreign ad-publicity chiefs at the Hays office last week. No revival of the shortwave idea was brought up at the meeting, with concensus of opinion among these foreign publicists being that this type of radio show (for all-industry purposes) is washed up.

Following discussion of the David Blum (Metro) plan of using discs for all - industry, Latin-American broadcasts, committee composed of Blum, Jerry Keyser, Fortunat Baronat and Ken Clark was named to further investigate recorded industry show ideas.

Prelim report on this disc idea revealed that number of Latin-American countries, as reported by respective film boards, thought it might be feasible but just as many believed such disc programs would have to be paid for at commercial rates or via local sponsorship. Also it brought out that certain disc shows might get on some comparatively unknown radio stations but that for adequate coverage local film officials were skeptical if they would be taken gratis by the station. For example Peru reported a sponsor would be required. Mexico said that no free time was available. Cuba preferred some sort of sponsorship, while Chile indicated that a sponsor probably would be needed.

Blum idea originally was to have a U. S. diplomat and a Latin-American government official give talks, then include music from latest American films and mention certain new pictures coming along. Fact that there are so many different nations in Latin-Americas was pointed up at last week's meeting as being flaw in the plan, since other countries would not care particularly what a Brazilian diplomat had to say, etc.

PAR DROPS FIZDALE AS SPECIAL PUFFER

Paramount has dropped the Tom Fizdale agency an outside publicity-planting service, recently specializing mostly in radio contacts for the company.

Brought in at first to handle one picture, 'Dr. Cyclops,' Par gave the Fizdale people a six months' contract at a reported $500 weekly, plus an expense account. This contract expired in November but Par retained Fizdale beyond that on a non-contract basis until two weeks ago.

Neb. Legislature Takes Day Off for 'Dictator'

Lincoln, Neb., Feb. 25.

Legislative school will be out Saturday (1), the special adjournment being called for the screening of Chaplin's 'Great Dictator.'

Idea was promoted as a sendoff for the late playdate of the Chaplin pic, which is the local exh b'tion property of Howard Federer's Nebraska Theatres, Inc. Whole body of solons, 43 strong, with all the fringe of the legislative mill, will congregate at the Varsity at 10 a.m. for the special lookee. This is the first turnout of its kind by the lawmakers.

Dallas Charity Preem For Par's 'Hardboiled'

Reserved seat premiere for 'Hardboiled Canary' March 8 in Dallas will be a charity affair, all proceeds to British War Relief. Allan Jones, Susanna Foster and Dolly Loehr, stellar players in the Paramount film, will make personal appearances and participate in entertainment which includes the Dallas Symphony Orchestra. Two performances will be given in State Auditorium at $2-$2.50 scale.

Blue plate dinner at $10 a copy, given the night of March 7, will call attention to preem with film's stars attending.

OF ALL SAD WORDS

Saddest Is No Junkets For 'Doc' or Lloyd's 'Gob'

Hollywood, Feb. 25.

Frank Capra and Harold Lloyd ganged up on the film critics in two premieres 2,200 miles apart but amounting to the same idea—no joy rides.

Capra is going back to an ancient practice, screening a Hollywood premiere in Hollywood of his picture, 'Meet John Doe'. That ruins a possible junket to Muncie, Ind., or whatever town is now the center of the John Doe population. Lloyd is tossing the first showing of his RKO picture, 'A Girl, a Guy and a Gob,' in Honolulu, March 4, and any film columnist who wants to see it will have to pay his own way.

NOW 'PSYCHO' BALLY CREEPS INTO PIX ADS

Taking advantage of a new interest in psycho-analysis engendered by the success of the Gertrude Lawrence legiter, 'Lady in the Dark,' Fifth Ave. Playhouse, N. Y., ballyhooed last week an 'all psycho-analytical' bill. It was a double feature with 'Secrets of a Soul' at the top and 'The Eternal Mask' as second picture.

Extra-large ad space was taken in what Martin Lewis, one of the owners of the house, called 'a gamble on an idea.' Copy tied up with the Lawrence show with the headline, 'Ladies (and Gentlemen) in the Dark,' and carried a head of Sigmund Freud.

'Soul' was made by G. W. Pabst for UFA in 1927 and is being handled in the U. S. by Sam Cummins. 'Mask' is a Swiss-made (1936) distributed by Mayer & Burstyn.

Another film theatre attempting to capitalize on legit is Rialto, N. Y., which last week played 'Devil Commands' and marqueeing the star as Boris 'Arsenic' Karloff.

Allyn Joslyn, also featured in 'Arsenic,' is likewise appearing in a current picture, 'This Thing Called Love,' which had been at the Music Hall, N. Y., When he heard about Karloff's billing at the Rialto, Joslyn remarked, 'I hope the Music Hall doesn't bill me as Allyn ('Old Lace') Joslyn.'

Lubitsch, Have You Got That Uncertain Feeling'?

Somewhat double-entendre motif has been adopted by United Artists in pre-selling Ernst Lubitsch's 'That Uncertain Feeling.' It runs from a highly amusing and unusual trailer to about 1,000,000 small cards which UA is sending throughout the country.

Trailer winds up with a shot of Lubitsch himself, the inevitable cigar in his mouth, giving the audience a broad wink and a smirky smile. Cards bear the legends: 'Lady! Have you got— That Uncertain Feeling?' 'It comes and it goes That Uncertain Feeling.'

Disney Publicists West For S.F. 'Fantasia' Preem

Hal Horne, eastern rep for Walt Disney, and Dick Condon, publicity chief, are currently on their way to the San Francisco preem of 'Fantasia' on March 5. They were at the Detroit and Chicago openings, Feb. 18 and 19 respectively, on the way out from New York.

Pair will confab at the studio before hitting S. F. on campaigns for 'The Reluctant Dragon,' to be released next month, and 'Dumbo,' scheduled for late spring. They'll be back around March 8.

FLYING PRESS AGENT

David Parry, former United Artists p.a., now assisting Lynn Farnol on handling the publicity campaign for Paramount's 'I Wanted Wings,' was a neat choice for the job.

He's taking the flying course being given by the Civil Aeronautics Authority and goes into the Army Flying Corps within a couple of months.

Tuning the Trailers

Hollywood, Feb. 25.

Special musical scores by studio composers are being written for three Warners trailers to get around the criticism voiced by exhibitors that trailers have no kick.

With Edward Selzer supervising, Dmitri Tiomkin did a trailer score for 'Meet John Doe'; Max Steiner is turning out a musical job on 'The Great Lie,' and Eric Wolfgang Korngold is doing a similar trailer assignment on 'The Sea Wolf.'

Theatre Owners, Inc., Formed in Detroit For Mutual Welfare

Detroit, Feb. 25.

To handle all industry matters of wide importance as well as to handle all general local problems, Detroit's circuit executives and leading exhibitors have formed a new organization, tentatively called Theatre Owners, Inc. Two Detroit attorneys, William Henry Gallagher, as president, and Ray Meurer, legal representative for the United Detroit Theatres, executive secretary, head up the new group.

Barred out of consideration through the mutual pledge of the organizers are the solo problems of either circuits or individual theatre owners. Theatre Owners, Inc., is to be a united front for the picture industry here both as to matters of industry-wide importance which have a local application and in handling matters which arise here which affects the theatres.

One of the typical activities will be to represent the theatres and industry as a solid group in hearings before the Common Council, Fire Commission, in courts and other places where there is a need for solid action. It also will circumvent the practice of one group seeking special advantages to the injury of another.

There has been plentiful litigation come up here with new laws—particularly zoning which puts restrictive requirements on new theatre building and ordinances on lighting which will set back theatres an estimated $90,000 in rigging new marquees, etc., which is one particular phase of the new group's activities.

Kastner Reps in N. Y.

National Theatre Owners Assn., Inc., not a buying organization as reported, has been set up by 10 exhibitors throughout the country as a non-profit organization through which they may advise each other on problems, campaigns, stunts that have panned out well, etc.

Donald E. Kastner, who comes from the merchandising-advertising field, has been appointed New York representative.

SPECIAL BALLYHOO FOR U.D. DISTRICTS

Detroit, Feb. 25.

Having split the chain up recently into three units, each with a district manager, United Detroit Theatres now has followed up the move with the appointment of a special advertising man and press agent for each of the districts.

Ruth Stitt, in charge of the U.D. circuit's publicity, made the appointments out of the regular staff. Bill Hendricks takes over the publicity and advertising for the West Side houses; Cliff Brown likewise on the East Side, while Stitt himself will handle the first-runs and downtown houses. Alice Gorham will handle all the chain's special publicity work.

RKO's Telegraphic Golf Tourney Being Primed

Details are being set this week for the initial telegraph golf tournament likely to be held early in May by RKO, with the studio golfers pitted against the home office force. Jack Level, who arranged the successful wire bowling tourney between the Hollywood and N.Y. tenpin experts about a month ago, is handling the golf tournament prelims.

Play will be in N.Y. and Hollywood, with the golfers teeing off around 3 p.m. with those on the Coast starting at the same time, or 12 noon Pacific Coast time. Results are exchanged every nine holes. Lou Miller, who has charge of contract approvals at the home office, will head the tourney committee.

Asher Shaw Leaves United Detroit After 19 Years; Other Theatre Briefs

Detroit, Feb. 25.

Asher B. Shaw, many years with United Detroit Theatres, most recently as supervisor of all the chain's East Side houses, tendered his resignation to take up work in a new field as yet unannounced. He had been associated with the theatre business here for 19 years, starting his connection with the former Kunsky-Trendle Theatres. Chain executives tossed him a farewell party.

Following resignation, circuit revised its district manager setup putting under district manager Robert P. Corbin the Michigan, United Artists, Palms-State, Madison, Broadway, Capitol, Cinderella, Alger, Vogue and Ramona and under Joseph Busic's direction the Annex, Riviera, Fisher, Royal, Rosedale, Norwest, Regent, Bloomfield and Varsity. Former includes all the downtown houses as well as nabes while Busic's group includes the suburban theatres as well as nabes.

Special assessors are going to be assigned to rule on the evaluation of Detroit's theatres. The fact that they are a distinct form of real estate, a specialized type among buildings, caused the theatres to be singled out for special recognition in the plans presented to the Common Council for the reorganization of the methods used in this town by the Board of Assessors.

With the exception of hotels, theatres will be the only other single industry given recognition.

Moray's Shorts Probe

Norman E. Moray, Warners shorts sales manager, on a tour of exchanges to contact personnel as well as exhibs in each zone, gathering line on what type of briefies are preferred, sell best, etc. New line-up for 1941-42 will be based on info dug on trip.

While on tour Moray will stop off at the studio to discuss plans for the coming season. He will be away eight weeks.

Cummings' Two Houses Only

Lincoln, Neb., Feb. 25.

Winding up affairs with Par-Tri-States (A. H. Blank) district manager Evert Cummings, said his new theatrical hitch, on his own, had been greatly exaggerated. He says he has not acquired a circuit, but merely two theatres in a small stand in Oregon. Deal isn't even set yet and won't be for 10 days. Cummings, a vet with Blank in Iowa and Nebraska since 1926, left Saturday (22).

Lincoln Theatres Corp. (J. H. Cooper-Par) is getting ready to become home office for the Cooper Enterprises accounting, department to be headed by Leon Savell, formerly Par's h.o. in New Orleans and Atlanta. Present setup here, Vincent J. DiFiore, and Charlie Shire in charge, will probably be enlarged on Savell's arrival.

William Scholl, who has been frontlining for RKO with the press and as special exploiteer in Minenapolis-Des Moines-Kaycee-Omaha territory, transferred to Cincinnati on the same job.

Mons Thompson, exhib at St. Paul, Neb., is minus a finger which got in between the axe and the wood he was chopping.

Jimmy Schlatter, of Ralph Goldberg's Indie Theatres, is being questionnaired by his draft board, and looks for a late spring or early summer in the army.

City appraisers allowed $85,000 to Frank and Jennie Kimball, owners of the Variety, 1,100-seat flimer here, which is to be torn down to make way for a new street widening program. Nebraska Theatres, Inc., tenants of the house, were allowed $3,000. No date has been set for the clearing to start.

Charley Prokop, vet exhib of Wahoo, Neb., bettering after siege of heart trouble. Feared for a while he was going to have to give up activity.

Oscar Johnson, Falls City, Neb., opened new Oil City theatre (21), and battery of film rowites from Omaha attended.

III. Allied Reelects Board

Chicago, Feb. 25.

General meeting of Allied indie exhib group of Illinois last week resulted in reelection of complete slate of board of directors. These include Van Nomikos as v.p., Richard Salkin as sec.-treas. and sergeant-at-arms Harry Nepo. On the board are Joe Stern, Ludwig Sussman, Harry Reckas, Verne Langdon, Sinuel Roberts, Ben Bartelstein, Ben Lasker, Abe Gumbiner, Charles Nelson, Jack Rose.

Jack Kirsch, president, was elected last year for a three-year tenure of office.

Jack Mulhall Into Army

Philadelphia, Feb. 25.

Jack Mulhall, recently appointed manager of the Chester-West Chester-Reading district of the Stanley-Warner circuit, has resigned to go to Fort Bragg with the National Guard. Mulhall holds a commission as captain. His place will be taken by William Morgan, manager of the Grand, Vineland, N. J.

Clark Crowley, manager of the State, Chester, shifted to the Grand, Vineland.

J. L. Hanes has taken over the operation of Capital, Reading.

Ted Schlanger, Warners zone chief, in Florida.

Bill Brooker, Par exploitationer, now taking in the Pittsburgh area.

Edgar Moss, 20th-Century Fox exchange manager, heading for Hot Springs.

Moreau's N. E. Shifts

Portland, Me., Feb. 25.

Al Moreau's general manager of Maine-New Hampshire-Vermont division of M. & P. theatres, last week announced series of managerial changes in houses under his supervision:

George Sargent, Rutland, Vt., given leave for hitch as major in National Guard at Camp Blandings, Fla.; Frank Bisson, taking over direction of three Rutland houses, with Nathan Press, formerly assistant at State, Portland, succeeding at Opera House, Bath. Francis Gooch exchanging positions with Arthur Pinkham, former going to Houlton, Me., and latter to Uptown, Bath. Bill Romanoff made new assistant to Harry Botwick at State, Portland, Me.

Bill Forman Resigns

Seattle, Feb. 25.

Bill Forman, general manager of Sterling Chain, has resigned. No successor appointed, president John Danz states.

Al Fenyvessy, Jr.

Rochester, N. Y., Feb. 25.

Albert Fenyvessy, Jr., operator of the Arnett theatre, was called for draft induction Monday and celebrated his imminent departure by giving a free theatre party for some 600 kids of the neighborhood Saturday afternoon.

His brothers, Chester and Paul, plan to run the house for him during his period of service, even though clause in contract transferring five theatres to Schines two years ago expressly forbid them to operate a theatre in the city. They figure operating for their younger brother, who was not included in the contract, is oke.

'Bish' Lenihan's Legiter

Ed ('Bishop') Lenihan, in theatre operation for many years but lately laid up in the hospital, has been engaged by Ed Sullivan, Daily News columnist, to manage his interests in the legit, 'Crazy with the Heat,' in which Sullivan invested. Columnist left for Miami Sunday (23).

Now fully recovered, Lenihan was released from a New Jersey hospital only 10 days ago after having been laid up four weeks with an internal hemorrhage. He was for several years a district theatre operator for RKO and has also managed various houses, including the old Rialto.

Guinan with PRC

St. Louis, Feb. 25.

William A. Guinan has been added to the sales staff of Producers Releasing Corp. exchange here by branch manager A. R. Dietz. Guinan was previously a salesman for Republic and prior to that salesman and branch manager for Grand National.

Tom Jones at Cap, Atlanta

Atlanta, Feb. 25.

Thomas R. Jones, formerly of Roxy, new ass't mgr. of Capitol, succeeding Henry Stanford, resigned to take civil service job at Fort McPherson. Ed Shepard, former ass't mgr. of Roxy, quit to enter army. Both Roxy and Capitol are Lucas & Jenkins houses.

Tom Long Into Service

Akron, Feb. 25.

Tom Long, manager of the Palace, vaudfilmer, enlisted under selective service act this week and inducted into service. Sid Holland has come on from New York to take over Long's duties.

Fruchi's Royal, N. Y.

Clayton Fruchi, assistant manager of RKO's Franklin, Bronx, N. Y., upped to managership of the chain's Royal, N. Y. He succeeds Arthur Taub, been switched to Westchester. His place as assistant to Ben Rydell at the Franklin being taken by Ben Axelrod.

Peter Mallers in Fort Wayne

Fort Wayne, Ind., Feb. 25.

Peter Mallers, president of the Mallers Circuit, has again assumed management of the Riley theatre, Fort Wayne, Ind. The house was operated for 15 years by the circuit until two years ago, when the Quimby Theatres took it over. A remodeling program has been announced, to include new seats, furnishings, screen, projection equipment and front.

Chi Plenty Bullish; 'Back Street' Wow $19,000, 'WU'-Vaude 42G, Reissue-Revue 18G, Disney Good

Chicago, Feb. 25.

With Washington's Birthday packing the theatres, grosses currently give plenty of satisfaction to the managers. Topping the town on pace and handling is the Palace, where 'Back Street' has come through with a sockeroo initial session coupled with 'Six Lessons from Madame La Zonga.' Looks like a long stay, going at least four weeks, and perhaps more. Has been backed by powerful advertising which shot the gross up from the bell.

Apollo, now in the hands of Walt Disney for the roadshowing of 'Fantasia,' opened in mid-week and started off at a great pace, with capacity at nights and excellent trade in the afternoons. Brokers are ready to make longterm buys, which is a good indication of the future.

Oriental's first week under the aegis of Michael Todd looks good, with the re-issue of 'Hell's Angels' plus a low-cost show, which indicates a healthy profit.

'Western Union' is the entry for the Chicago, plus a strong stage lineup with Jane Froman and the Matty Malneck orchestra. Combination is boxoffice fodder of the first order and is going to pull plenty of shekels.

Estimates for This Week

Apollo (Disney) (1,200; 75-$1.10-$1.65)—'Fantasia' (Disney) (2d wk). Getting mixed comment, but considerable business, and indicates a stay of many months from current sales interest. Taking at least $16,000, strong, on initial session. Opened on Wednesday (19).

Chicago (B&K) (4,000; 35-55-75)—'Western Union' (20th) and stage show, topped by Jane Froman and the Matty Malneck orchestra. Both accounting for their share of the business. Galloping to $42,000, fine. Last week, Virginia' (Par) went to $39,400 mainly on the boxoffice draught of the Phil Spitalny all-girl orchestra.

Garrick (B&K) (900; 35-55-65-75)—'Virginia' (Par). Moved here for loop holdover, but nothing exciting at $4,500. Last week, 'Liberty' (M-G), so-so $3,900.

Oriental (Todd) (3,200; 28-44)—'Hell's Angels' (Elman) and 'Naughty 90's Revue' on stage. Combination getting good audience play, with considerable interest in the re-issue, business buzzing to fine $18,000. Last week, 'San Francisco Docks' (RKO), depending strictly on the Lou Armstrong band for business, came through with bang-up $16,400.

Palace (RKO) (2,500; 33-44-66)—'Back Street' (U) and 'La Zonga' (RKO). Headed for a masterful gross that augurs a long and healthy life here, starting with booming $19,000 for initial session. Last week, 'Buck Privates' (U) and 'Play Girl' (U) turned in good enough $10,300.

Roosevelt (B&K) (1,500; 35-55-65-75)—'Sierra' (WB). Will leave on Thursday (27) to be replaced by 'Gone' (M-G) on its first grind showing in Chicago. 'Sierra' will finish to okay $9,000 on final seven days, after having taken down chubby $13,100 last week.

State-Lake (B&K) (2,700; 28-44)—'Shayne Detective' (20th) and 'International Casino Revue' unit on stage. Combination is a money-maker, and will gather $17,000. Last week, 'Rangers Ride' (Par), plus 'Hollywood' unit on stage, snagged fair $15,400.

United Artists (B&K-M-G) (1,700; 35-55-65-75) — 'Philadelphia' (M-G) (5th wk). Has had a brilliant money stay, with the femmes charging the boxoffice to buy ducats. Going to beautiful $8,500 currently, after happy $10,100 last frame.

Woods (Essaness) (1,200; 35-55-65)—'Latin' (Col). Nice $11,000. Last week, 'Back Street' (U) and 'Meet Chump' (U), $10,500.

Orpheum (RKO) (2,600; 25-40-50)—'Gone' (M-G) (2d wk). Fine $13,500. Last week, very big $20,000.

Paramount (Fox) (2,200; 25-40)—'Flight Destiny' (WB) and 'Arkansas Judge' (Rep). Good $4,500. Last week, 'Buck Privates' (U) and 'Father's Son' (WB), good $6,000.

Rialto (Fox) (878; 25-40)—'Buck Privates' (U), after a week at the Paramount, and 'Tall, Dark' (20th), after a week at each the Denver and Aladdin. Satisfactory $2,000. Last week, 'Hudson's Bay' (20th), after a week at each the Denver and Aladdin, and 'Pride Bowery' (Mono), fair $2,000.

'GONE' 2D HUGE 13½G, DENVER; 'VA.' H.O. 12G

Denver, Feb. 25.

Top honors go to the extended runs this week. Best gross goes to 'Wind' in its second and final week at the Orpheum, while the No. 2 spot is held by 'Virginia' in its second and final week at the Denham. Both pictures forced to leave by commitments.

Estimates for This Week

Aladdin (Fox) (1,400; 25-40)—'Back Street' (U), after a week at the Denver. Good $4,500. Last week, 'Chad Hanna' (20th) and 'Tall, Dark' (20th), after a week at the Denver, fair $3,500.

Broadway (Fox) (1,040; 25-35-40)—'Mr. and Mrs. Smith' (RKO) and 'Make Music' (RKO) (2d wk, after a week at the Orpheum). Fair $2,500. Last week, fair $2,800.

Denham (Cockrill) (1,750; 25-35-40)—'Virginia' (Par) (2d wk). Almost as good as opening week with wow $12,000. Last week, smash $12,500.

Denver (Fox) (2,525; 25-35-40)—'Western Union' (20th) and 'Blondie

'TALL' 20G WITH BUSSE'S HELP, WASH.

Washington, Feb. 25.

Another stanza with only two new bills, both at the vaude spots. This week the newcomers are solidly out in front, however, with the h.o.'s operating profitably but hardly phenomenally, as they did last week.

'Tall, Dark and Handsome' at the Capitol with Henry Busse's orchestra has a slight lead over 'Strawberry Blonde' and Harmonica Rascals at Earle. 'Philadelphia Story' in third week is tops among the repeats, with 'Back Street' h.o. second. Surprise is 'Virginia,' which mopped up at the Earle and is now in second week of second run at the Met, WB down-the-streeter.

Estimates for This Week

Capitol (Loew) (3,434; 28-39-44-66)—'Tall, Dark' (20th) and vaude. Henry Busse's orchestra helping toward solid $20,000. Last week, 'Son Cristo' (UA), weak $14,500.

Columbia (Loew) (1,234; 28-44)—'Maisie Lady' (M-G) (2d run). Back downtown after okay week at Capitol. Will hit adequate $4,000. Last week, 'Gone' (M-G) (2d run) (2d wk) (44-55), okay $4,500.

Earle (WB) (2,216; 28-39-44-66)—'Strawberry Blonde' (WB) and vaude. Pushing top place with big $19,000. Last week, 'Arizona' (Col), solid $16,000.

Keith's (RKO) (1,830; 39-55)—'Back Street' (U) (4th wk). Holding for profitable $7,000. Last week, strong $9,000.

Met (WB) (1,600; 28-44)—'Virginia' (Par) (2d run) (2d wk). Sticking for surprising $5,000. Last week, beauteous $8,000.

Palace (Loew) (2,242; 39-55)—'Philadelphia' (M-G) (3d wk). Handsome $12,500. Last week, big $16,500.

'VA.' $8,000, K. C. STEADY

Kansas City, Feb. 25.

Film row is heavy with good films and the week will bring pleasing figures, albeit two houses have films on extended runs. 'Virginia' came in to the Newman on Wednesday with slow momentum, but picked up speed by week-end and is earning itself a holdover position. Likewise 'Western Union' in two Fox Midwest houses is going good and may stay awhile.

'Philadelphia Story' at the Midland is creating some extra notices playing a second week in this house which rarely holds a film for extra days. Second week is buxom, and bettering many other films' first weeks. Orpheum likewise has holdover with 'Mr. and Mrs. Smith,' more than doing its share.

Weather continues its favorable trend of the past week or so-cold but not unpleasant.

Estimates for This Week

Esquire and Uptown (Fox Midwest) (820 and 2,043; 10-28-44)—'Western Union' (20th). Doing nicely, and $8,000 will probably earn it a holdover. Last week, 'Back Street' (U) played only six days of its second stanza, and was not quite up to expectations at $4,300.

Midland (Loew's) (4,101; 10-28-44)—'Philadelphia' (M-G) and 'Maisie Lady' (M-G). First week was great at $18,000 and earned a holdover in this house where seven days is the usual limit. Current h.o. session getting likely $10,500, very good.

Newman (Paramount) (1,900; 10-28-44)—'Virginia' (Par). Going good after slow start. Gross of $8,000 will see a holdover. Last week, 'Flight Destiny' (Par), lightweight $5,000.

Orpheum (RKO) (1,500; 10-28-44)—'Mr. and Mrs. Smith' (RKO) and 'Black Parrot' (WB) (2d wk). Nice $6,500 after very strong $9,200 first week.

Tower (Joffee) (2,110; 10-30)—'Ridin' Rainbow' (Rep) and variety bill on stage. Attendance a little more rounded this week, and $6,700 results. Last week, 'Make Music' (RKO) with vaude, in same vein.

First Runs on Broadway

(Subject to Change)

Week of Feb. 20

Astor—'Great Dictator' (UA) (20th wk).

Broadway—'Fantasia' (Disney) (16th wk).

Capitol—'Come Live with Me' (M-G).

(Reviewed in VARIETY Jan. 22)

Criterion—'The Mad Doctor' (Par).

Globe—'Night Train' (20th) (10th wk).

Music Hall—'So Ends Our Night' (UA).

(Reviewed in VARIETY Jan. 29)

Palace—'Meet the Chump' (U).

(Reviewed in VARIETY Feb. 12)

Paramount—'The Lady Eve' (Par) (26).

(Reviewed in Current Issue)

Rialto—'Meet Boston Blackie' (Col) (25).

Rivoli—'Back Street' (U) (3d wk).

Roxy—'Tobacco Road' (20th) (2d wk).

Strand—'Strawberry Blonde' (WB) (2d wk).

Week of March 6

Astor—'Great Dictator' (UA) (21st wk).

Broadway—'Fantasia' (Disney) (17th wk).

Capitol—'Andy Hardy's Private Secretary' (M-G).

(Reviewed in Current Issue)

Criterion—'Trial of Mary Dugan' (M-G).

(Reviewed in VARIETY Feb. 12)

Globe—'Night Train' (20th) (11th wk).

Music Hall—'So Ends Our Night' (UA) (2d wk).

Paramount—'The Lady Eve' (Par) (2d wk).

Rialto—'Dangerous Game' (U) (4).

Rivoli—'Back Street' (U) (4th wk).

Roxy—'Tobacco Road' (20th) (3d wk).

Strand—'Strawberry Blonde' (WB) (3d wk).

Holiday Booms B'way; Cagney-Scott Big $50,000, 'Tobacco' 48G, 'Smith' 88G, 'Philly'-Holtz Unit Sock 40G

(Best Exploitation: Roxy)

Washington's Birthday (22) proved to be one of the biggest Saturdays the country's biggest Main Street has ever known, with result a couple of the poorer pullers in the downtown New York sector are saved from being too bad. 'You're the One' and Ella Fitzgerald, for instance, made a little money for the Paramount at $30,000 on the single week ended last night (Tues.). Show needed that holiday to keep out of the red.

Also getting a much-needed lift through a smash Saturday take and a comparatively good Sunday is 'Mr. and Mrs. Smith' at the Music Hall. Went to $22,000 Saturday and mined out another $18,000 Sunday which counts a lot in getting the gross up to a good $88,000 or better. Does not hold because the picture had to have the holiday to get to this figure.

'Tobacco Road' and 'Strawberry Blonde,' on first run, plus 'Philadelphia Story,' at the State second-run, are in a driving finish for the lion's share of the week's business.

'Road' is not the sensation that was expected but on its first seven days ending tonight (Wed.) it will have a strong $48,000 to its credit at the Roxy. Picture ground a straight 42 hours from the 8 a.m. opening Thursday (20)—a smart publicity stunt if nothing else—and on Saturday the house had one of its biggest days yet, $17,000. This was more than three times the gross of Friday (21).

'Strawberry Blonde' brought the Strand close to $12,000 on Washington's Birthday, its largest Saturday. A total of 21,000 people were crowded into the house on a grind from 8 a.m. to 4 a.m. Sunday (23) and, on the first week, the take should hit $50,000 or close, big. The Raymond Scott band is on the stage.

The State, which has Lou Holtz, Wendy Barrie, Lola Lane and Arline Judge on its vaude show in support of 'Philly Story,' is going great guns for a possible $40,000, topped on only a handful of occasions here in 20 years of operation. Theatre ground from 8 a.m. Saturday (22) to 3 a.m. the next morning and on the holiday played to 20,198 admissions, for a gross of over $10,000.

A disappointer but owing much of what it is going to get to the Washington Birthday weekend is 'Go West' which won't bring the Capitol more than about $28,000. Fair profit, however.

'Back Street' continues a good pace at the Rivoli, where it ended its second week yesterday (Tues.) at $25,000, after hitting $35,000 the first seven days.

While the palm on best exploitation goes to 20th-Fox and the Roxy on 'Tobacco Road.' Warner Bros. and the Strand management also did a bang-up job on 'Strawberry Blonde.' A terrific house front was put up at the Roxy on 'Road.' Numerous good breaks were obtained, including on the air, connection with the all-night policy opening day.

Starting today (Wed.) 40 days of Lent commences but in New York it seldom seems to make much difference.

Estimates for This Week

Astor (1,012; 75-85-$1.10-$1.65-$2.20)—'Dictator' (UA) (20th week). Last week 19th), with a $4,000 gate Saturday (22) when four shows were given, gross hit $15,000, still good profit.

Broadway (1,895; 55-75-$1.10-$1.65-$2.20) — 'Fantasia' (Disney) (16th week). Brought $24,500 last week (15th), excellent. Weekend a solid sellout.

Capitol (4,520; 35-55-85-$1.10-$1.25)—'Go West' (M-G). Gets only one week at no better than about $28,000, aided a lot by Washington's birthday, but some profit. Last week, fourth for 'Gone With Wind' (M-G) at 40c opening price, $35,000, good.

Criterion (1,662; 28-44-55-65) — 'Mad Doctor' (Par). Opens here today (Wed.) after 14 days of 'Maisie Was Lady' (M-G) which gave fine accounting of itself; first week $11,000, second $8,000.

Globe (1,180; 28-35-55-85) — 'Night Train' (20th) (9th week). Still has steam and this week (9th) will match the prior (8th) stanza at $7,500. On Washington's birthday the house kept open until 5 a.m. Starts 10th week Saturday (1).

Palace (1,700; 20-35-55) — 'Western Union' (20th) 2d run) and 'Meet the Chump' (U) (1st run), coupled. This brace opens today (Wed.), following eight days of 'Kitty Foyle' (RKO) (2d run) and 'La Zonga' (U) (1st run), which got $8,000, slow. Behind that 'High Sierra' WB) (2d run) and 'Father's Son' (WB) (1st run), only $5,500 on six days.

Paramount (3,664; 35-55-85-99) — 'Lady Eve' (Par) and stage show headed by Tony Pastor, Ella Logan and Ben Blue constitute new bill today (Wed.). 'You're the One' (Par) and Ella Fitzgerald managed light $30,000, which, with help of Washington's birthday (22) gets theatre a few bucks as profit. Third week for 'Virginia' (Par) and Glenn Miller, $38,000, sweet; could have gone a fourth at that gait.

Radio City Music Hall (5,960; 44-55-85-99-$1.65)—'Mr. and Mrs. Smith' (RKO) and stage show. Got shot in arm over the weekend and as result will hit $88,000 or bit better, entirely satisfactory, but won't hold. 'So Ends Our Night' (UA) opens tomorrow (Thurs.). Last week, 'This Thing Called Love' (Col), $75,000, moderate.

Rialto (750; 28-44-55)—'Meet Boston Blackie' (Col). Moved in yesterday (Tues.) on top of poor week with 'Road Show' (UA), only $5,200. In ahead, 'Devil Commands' (Col), sad $4,200 on six days.

Rivoli (2,092; 35-55-75-99)—'Back Street' (U) (3d wk). Drawing well, with second week ended yesterday (Tues.) bringing $25,000. First stanza $35,000, very nice.

Roxy (5,835; 35-55-65-75-85)—'Tobacco' (20th) and stage show. Not menacing records here but speedy at $48,000 the first week. With play still going and in its eighth year, New York date on film may not serve as a reliable criterion since virtually everybody and his brother among the natives have seen it on the stage. Begins second week tomorrow (Thurs.). Last week, second for 'Western Union' (20th), $30,000, o.k.

State (3,400; 28-44-55-75-90-$1.10)—'Philly Story' (M-G) (2d run) and, on stage, Lou Holtz, Wendy Barrie, Lola Lane and Arline Judge. Socking through for $40,000 or close, heavy winnings. Last week, 'Buck Privates' (U) (1st run) and Belle Baker, Hal LeRoy, Herbie Kay band, $26,000, well above the house age.

Strand (2,767; 35-55-75-85-99)—'Strawberry Blonde' (WB) and Raymond Scott orch. Cagney remake of 'One Sunday Afternoon' a formidable h.o. bet and may hit the fancy $50,000 mark, holding over. Last week, the second of 'Honeymoon for Three' (WB) and Ray Noble, $17,000, weak.

FEAR PRICE-CUTTING SPREAD IN NORTHWEST

Minneapolis, Feb. 25.

There are fears in trade circles that admission price-cutting will spread throughout the territory as the result of action of the Baer circuit.

This is one of the larger independent chains, slashing its top prices from 28c to 20c in all its situations, including the [illegible] competitive ones

'Sierra'-Calloway $25,000, Pitt.

'Va.' Good 17G Despite Crix—'Philly' and 'Kitty' H.O.s Tidy—Industrial Coin Helps

Pittsburgh, Feb. 25.

Biz finally beginning to reflect local industrial boom. It's a general rule here that theatres are last to feel a depresh and also last to feel an uptake, and that's been holding true again. Although payrolls and employment have been skyrocketing in Pittsburgh for quite sometime, only since the beginning of the month has the entertainment industry been pocketing any appreciable extra coin.

At Stanley, combo of 'High Sierra' and Cab Calloway is giving the WB deluxer its best gross since Mickey Rooney's personal last September. 'Virginia' at Penn is over-riding unanimous critical thumbs-down to top even preceding stanza's 'Kitty Foyle.' Indifferent showings in h.o.'s of 'Back Street' at Fulton and 'Western Union' at Senator are being allbied by fact that both pix have proven fast starters and slow finishers. On other hand, 'Philadelphia Story' at Ritz for fourth downtown week is giving small-seater sock figure and 'Kitty' is ditto'ing at Warner on move-over from Penn.

Estimates for This Week

Fulton (Shea) (1,700; 25-40) — 'Back Street' (U) (2d wk). So-so h.o. session. Will wind up here rather lackadaisically at $3,800. Opening stanza, despite fact that Sullavan-Boyer opus gave house the biggest first day in five years, was around $7,800, very good, but not in keeping with the getaway figure.

Penn (Loew's-UA) (3,300; 25-35-50)—'Virginia' (Par). It's been a long time since any picture took such a general panning, but combination of marquee power and Technicolor is proving more than sufficient to counteract the critical opinion. Heading for close to $17,000, which means a second week at Warner. Last week, 'Kitty Foyle' (RKO) fell off slightly down the stretch, getting $16,500.

Ritz (WB) (800; 25-35-50)—'Philadelphia' (M-G) (4th wk. downtown, following one at Warner and two at Penn). Should do better than $3,100, which is very pleasing at this small-seater. Last week, 'Gone' (M-G) (5th wk), was beginning to slip, about $2,800.

Senator (Harris) (1,750; 25-35-50)—'Western Union' (20th) (2d wk). Off more than half on h.o., but managing to better even break on big week-end. Looks like $4,000. Last week, $8,300.

Stanley (WB) (3,600; 25-40-60) — 'Sierra' (WB) and Cab Calloway. It's hard to tell whether film or flesh is big draw, but it's a happy combo anyway. For one thing, it's first time in lot of months that house has stuck in such a high-powered film with a stage presentation. Should have little trouble bettering $25,000, great, and best take here since Mickey Rooney's p.a. five months ago. Last week, 'Mr. and Mrs. Smith' (RKO) without show, disappointing $9,000.

Warner (WB) (2,000; 25-35-50) — 'Kitty Foyle' (RKO). Moved here from Penn and doing better than just alright. Looks like at least $7,000, plenty profitable and sounds like a move to the [illegible] for a third week. Last week, 'Philadelphia' (M-G), excellent at $7,800 on heels of big fortnight at Penn.

H.O.'s Bottle Up Frisco; 'Hardy' $19,000, 'Va.' 14G, 'Show' $8,000

San Francisco, Feb. 25.

With only four new films on Market street this week, biz has edged off a bit in most cases. Fox with the latest Mickey Rooney film, 'Andy Hardy's Private Secretary', Paramount with 'Virginia,' United Artists with 'Road Show' and the Orpheum with a horror combo offer the new b.o. bait. Customers are getting used to rain, which is no longer keeping them away from the picture palaces as much as hot weather will later on.

Estimates for This Week

Fox (F-WC) (5,000; 35-40-50)—'Hardy's Secretary' (M-G) and 'Murder Friends' (20th). Should have things pretty much to itself. Good $19,000 expected. Last week, 'Western Union' (20th) and 'You're the One' (Par); swell $20,000.

Golden Gate (RKO) (2,850; 39-44-55)—'Mr. and Mrs. Smith' (RKO) and vaude (2d wk). Lombard-Montgomery duo on the screen and Sallei's Puppets heading the stage show are still drawing plenty of customers. Excellent $15,500 may warrant a third week. Last week, exceptional $20,000.

Orpheum (F&M) (2,440; 35-40-50)—'Devil Commands' (Col) and 'Man Behind Mask' (Col). Lean $7,500 may be all the Karloff and Lorre chillers may garner. Last week, 'Vigilantes' (U) (20th) and 'Invisible Woman' (U), slumped off at $5,500.

Paramount (F-WC) (2,470; 35-40-50)—'Virginia' (Par) and 'Wild Man Borneo' (M-G). Good $14,000 anticipated. Last week, 'Come Live' (M-G) (2d wk) and 'Mad Doctor' (Par), wound up with a neat $9,000.

St. Francis (F-WC) (1,475; 35-40-50)—'Western Union' (20th) and 'You're the One' (Par) (moveover). Little better than average $6,000 expected. Last week, 'Sierra' (WB) and 'Ride, Kelly' (20th) (moveover) did the usual $5,000.

United Artists (Cohen) (1,200; 35-40-50)—'Road Show' (UA). Fairish $8,000 likely, bolstered by a Dionne Quintuplets short subject, 'Growing Up.' Last week, 'Son Cristo' (UA) did a so-so $6,500.

Warfield (F-WC) (2,680; 40-55)—'Gone' (M-G) (2d wk). Blowing strong, with a good $15,000. Last week b.o. was two grand less than expected, but an excellent $18,000.

'LIVE' $13,000, PROV.; 'VA., 9½G 'BLONDE' OK

Providence, Feb. 25.

Grosses generally steady all around with 'Virginia' at Strand, 'Strawberry Blonde' at Majestic, and 'Come Live With Me' at Loew's riding the crest. 'Buck Privates' at Albee a holdover after bang-up opener. Major Bowes unit on stage at Fay's going nicely.

Estimates for This Week

Albee (RKO) (2,200; 28-39-50) — 'Buck Privates' (U) and 'Invisible Woman' (U) (2d wk). Getting swell $6,500, after grand $9,000 for opening stanza.

Carlton (Fay-Loew) (1,400; 28-39-50)—'Ends Night' (UA) and 'Maisie Lady' (M-G) (2d run). Not very strong $2,000. Last week, 'Gone' (M-G) (4th downtown wk), good $3,000.

Fay's (Indie) (2,000; 25-35)—'Tall, Dark' (20th) and Major Bowes unit on stage. Hefty weekend play gave nice lift. Heading for promising $7,500. Last week, 'Ride, Kelly' (20th) and vaude, nice $7,000.

Majestic (Fay) (2,200; 28-39-50)—'Strawberry Blonde' (WB) and 'Father's Son' (WB). Stepping along to fine $8,500. Last week, 'Western Union' (20th) and 'Meet Chump' (U) (2d wk), nifty $7,200.

State (Loew) (3,200; 28-40-50) — 'Come Live' (M-G) and 'Blondie Latin' (Col). Paced fairly strong toward $13,000. Last week, 'Ends Night' (UA) and 'Maisie Lady' (M-G), neat $12,500.

Strand (Indie) (2,000; 28-40-50) — 'Virginia' (Par) and 'Girls 21' (Rep). One of strongest in town, with hefty $9,500. Last week, 'Mad Doctor' (Par) and 'Barnyard Follies' (Par), weak $4,800.

'ARIZ.' 22G, B'KLYN

'Philly' H. O. Slick $19,000—'Va.' 2d Neat 15G

Brooklyn, Feb. 25.

'Arizona' and 'Life with Henry' at Fabian Paramount getting lion's share of the downtown sector biz this stanza. Second week of 'Philadelphia Story' and 'Gallant Sons' at Loew's Metropolitan next in line. Fabian Fox also in the chips, displaying 'Virginia' and Blackout' second week. RKO Albee fair with 'Western Union' and 'Madame La Zonga.'

Estimates for This Week

Albee (RKO) (3,274; 25-35-50)—'Western Union' (20th) and 'La Zonga' (U). Okay $17,500. Last week 'Kitty Foyle' (RKO) and 'Saint Palm Springs' (RKO) (2d wk), strong $16,000.

Fox (Fabian) (3,039; 25-35-50)—'Virginia' (Par) and 'Blackout' (UA) (2d wk). Neat $15,000. Last week good $17,000.

Met (Loew's) (3,618; 25-35-50)—'Philadelphia' (M-G) and 'Gallant Sons' (M-G) (2d wk). Fine $19,000. Last week, splendid $23,000.

Paramount (Fabian) (4,126; 25-35-50)—'Arizona' (Col) and 'Henry' (Par). Bright $22,000. Last week 'Sierra' (WB) and 'Earl Carroll's' (Par) (2d wk), good $15,000.

Strand (WB) (2,870; 25-35-40)—'Pride Bowery' (Mono) and 'Lucky Devils' (U). Mild $4,000. Last week 'Phantom Submarine' (Col) and 'Married Adventure' (Col), good $5,000.

'BLONDE' $13,000 IN PERT CINCY

Cincinnati, Feb. 25.

Biz on the up for second successive week. Pic pacer currently is 'Strawberry Blonde' with a swell Palace figure. 'Virginia' on the Albee is only a notch behind. Combo Shubert, with 'Blondie Goes Latin' and stage show headed by Blackstone, a local fave, also is on the high side.

Other fresh releases, 'Flight from Destiny,' at the Grand, and 'Buck Privates,' at Keith's, are down under. Holdovers 'Western Union' and 'Back Street' are likewise limp for the Capitol and Lyric.

Estimates for This Week

Albee (RKO) (3,300; 33-40-50)—'Virginia' (Par). Okay $12,000. Last week, 'Western Union' (20th), fairly good $10,500.

Capitol (RKO) (2,000; 33-40-50)—'Western Union' (20th). Switched from Albee for second week. Poor $900. Last week, 'Back Street' (U) (2d run), fair $4,000.

Family (RKO) (1,000; 15-28)—'Little Men' (RKO) and 'San Francisco Docks' (U), split with 'Law Order' (U) and 'Bowery Boy' (Rep). Average $2,100. Same last week on 'Li'l Abner' (RKO) and 'Murder New York' (20th), divided with 'Devil's Pipeline' (U) and 'Lone Rider' (Rep).

Grand (RKO) (1,430; 33-40-50)—'Flight Destiny' (WB). Mild $4,000. Last week, 'Liberty' (M-G), okay $4,000.

Keith's (Libson) (1,500; 33-40-50)—'Buck Privates' (U). Dull $2,500. Last week, 'Sierra' (WB) (2d run) $3,000, slow.

Lyric (RKO) (1,400; 33-40-50)—'Back Street' (U). Third week on main stem. Slow $2,400. Last week, 'Mr. and Mrs. Smith' (RKO) (3d run), okay $3,000.

Palace (RKO) (2,600; 33-40-50)—'Strawberry Blonde' (WB). Swell $13,000. Last week, 'Come Live' (M-G), sagged in last half to $8,500, n.s.g.

Shubert (RKO) (2,150; 33-44-60)—'Blondie Latin' (Col) and Blackstone's magic troupe plus three acts, including Jack Fulton, tenor, from WLW talent staff. Hotsy-totsy $13,000. Last week, 'Tugboat Annie' (WB) and 'Folies Bergere' revue, drooped in last half to $12,000, disappointing.

'Blonde' a Berry In Balto at $16,000; 'Smith' - Vaude 14G

Baltimore, Feb. 25.

Good product lineup helping here. 'Strawberry Blonde,' at the Stanley, and 'Mr. and Mrs. Smith,' at the combo Hipp, are leading the way, with the former grabbing off an edge on capacity and more frequent playing. Second helpings of 'Philadelphia Story,' at Loew's Century, and 'Western Union,' at the New, holding very consistently. Sure-seater Little, broke its own and town's record for consecutive playing by pushing 'Night Train' into 13th week.

Century (Loew's-UA) (3,000; 15-28-44)—'Philadelphia' (M-G) (2d wk). Holding excellent pace to indicated $11,000 after chalking up a rousing $16,600 on first try.

Hippodrome (Rappaport) (2,205; 15-28-39-44-55-66)—'Mr. and Mrs. Smith' (RKO) plus vaude. Clicking in strong fashion with nice $14,000 looked for. Last week, 'Play Girl' (Col) leaning heavily on p.a. of Ralph Edwards and his 'Truth or Consequences' from radio, garnered a fairly steady $11,200.

Keith's (Schnitberger) (2,406; 15-28-33-39-44)—'You're the One' (Par). Getting some daytime action on strength of shopping district location. Might reach fair $5,000. Last week, second of 'Back Street' (U) added $6,700 to okay opening round at $10,400.

New (Mechanic) (1,581; 15-28-33-44)—'Western Union' (20th) (2d wk). Maintaining all right pace to possible $4,500 after satisfactory initial sesh at $6,200.

Stanley (WB) (3,280; 15-28-39-44-55) — 'Strawberry Blonde' (WB). Catching on in rosy style after extra big weekend indicating $16,000. Last week, 'Flight Destiny' (WB) tried hard with strong selling, but off at $5,800.

'Va.' Fine $9,000, L'ville; 'Privates' Draws 'Em, $3,700

Louisville, Feb. 25.

'Virginia' at the Rialto is stacking up as a forte entry on the local scene, and with no particular exploitation, nor uppage of newspaper ads, is setting a pace that will ring up a very profitable gross. 'Buck Privates' caught a heavy play, proving a timely film and bringing plenty of soldier patrons from Fort Knox and Bowman Field into the Strand.

Weather is favorable for film attendance—no cold, snow or sleet—but Sunday's (23) sunny warm air lured families to the outdoors in pretty large numbers.

Estimates for This Week

Brown (Loew's-Fourth Avenue) (1,400; 15-30-40)—'Mr. and Mrs. Smith' (RKO) and 'Play Girl' (RKO). Moved over from the Rialto for second sesh. Indications are for allright $2,100. Last week, 'Back Street' (U) and 'La Zonga' (U), registered medium $1,600.

Kentucky (Switow) (1,200; 15-25) —'Tin Pan Alley' (20th) and 'Red Hair' (WB). Holding up very nicely to indicated $1,600. Last week, 'Vigilantes' (U) and 'Find Out' (RKO), average $1,500.

Loew's State (Loew's) (3,200; 15-30-40)—'Thing Called Love' (Col) and 'Before I Hang' (Col). Not any particular hefty b.o. attention directed toward this pair, and probable $6,500 is mild. Last week, 'Son Cristo' (UA) and 'Escape Glory' (Col), okay $7,000.

Mary Anderson (Libson) (1,000; 15-30-40) — 'Strawberry Blonde' (WB) (2d wk.). Lightweight $2,700 on the h.o. Last week, splendid $5,000.

Rialto (Fourth Avenue) (3,400; 15-30-40)—'Virginia' (Par) and 'Behind News' (Rep). Heading house toward swell $9,000. Last week, 'Mr. and Mrs. Smith' (RKO) and 'Play Girl' (RKO) paced the town for fine $8,500 and moveover.

Strand (Fourth Avenue) (1,400; 15-30-40)—'Buck Privates' (U) and 'Dark Streets Cairo' (U). Abbott and Costello clicking in great style currently. Pic had a sneak preview about two weeks ago, and is bringing 'em in on current showing at a profitable rate. Plenty of patronage from soldiers stationed at Fort Knox and nearby Bowman Field, and some exploitation has been production of results. Pace holding at steady rate, and looks to cop excellent $3,700. Last week, 'Scarface' (UA) and 'Sky Devils' (UA) (re-issues), fine $4,000.

DURBIN'S 'NICE GIRL' OK $5,700 IN MEMPHIS

Memphis, Feb. 25.

Snow, rarity in Dixie, put the frost on the boxoffices midway of last week and is doing an h.o. this stanza. Prior week's good beginners sagged badly under cold weather punches.

Only money show in town is Deanna Durbin's 'Nice Girl' at Malco. 'So Ends Our Night' runs second at Loew's Palace.

Estimates for This Week

Loew's State (Loew) (2,600; 10-33-44)—'Road Show' (UA), four days, and 'Saint Palm Springs' (RKO), two days. Pair together might grab dubious $2,500. Last week, 'Smiths' (RKO) $5,000, okay.

Warner (Warner) (2,300; 10-33-44) —'Night Tropics' (U). Strong bally by Howard Waugh may propel this weakie to $4,000. Last week, 'Flight Destiny' (WB), $2,700, poor.

Malco (Lightman) (2,800; 10-33-44)—'Nice Girl' (U). Deanna well-liked here, but wintry gales holding to moderately good $5,700. Last week, 'Back Street' (U), $5,000, disappointing.

Loew's Palace (Loew) (2,200; 10-33-44)—'So Ends Night' (UA). Good notices with raves for newcomer Glenn Ford might keep prodding this one ahead to $4,300. Last week, 'Mary Dugan' (M-G), $3,000, weak.

Strand (Lightman) (1,000; 10-22-33)—'Love Neighbor' (Par) (2d run) and 'Meet Boston Blackie' (Col), split. Should get modest $1,600. Last week, 'Tin Pan Alley' (20th) (2d run), three days; 'Long Voyage Home' (UA) (2d run), two days; and 'Old Colorado' (Par), two days; $1,700, okay.

One Mpls. Vaudfilmer Folds; Other, With 'Sierra'-McCoy, Draws 12½G

'KITTY' 10G, MONTREAL

Pre-Lent Blowoff Ups B.O.—'Philly' H.O. $7,000

Montreal, Feb. 25.

'Kitty Foyle' packing them in at Palace and setting a strong pace toward very good $10,000, while 'Philadelphia Story' hold-over is good for a handsome $7,000 at Loew's. 'Virginia' at Capitol is another good gross-getter with nice $6,500 in sight.

Last week before Lent should see a nifty turn-over for main stems.

Estimates for This Week

Palace (CT) (2,700; 25-45-55)—'Kitty Foyle' (RKO). Packing a $10,000 punch at this house, very good. Last week, 'Thing Called Love' (Col) repented for good $6,500.

Capitol (CT) (2,700; 25-45-55)—'Virginia' (Par) and 'Keeping Company' (M-G). Very nice $6,500 in sight. Last week, 'Chad Hanna' (20th) and 'Great Profile' (20th), good $5,500.

Loew's (CT) (2,800; 30-40-60)—'Philadelphia' (M-G) (2d wk). Nifty $7,000, after smash $13,500 last week.

Princess (CT) (2,300; 25-34-50)—'Dulcy' (M-G) and 'Gallant Sons' (M-G). Middling $3,200 in sight. Last week, 'East River' (WB) and 'Always Bride' (WB), weak $2,700.

Orpheum (Ind) (1,100; 25-40-50)—'Kit Carson' (UA) and 'Get Girl' (Emp). Improved take likely at $3,300. Last week, 'Bank Dick' (U) and 'Give Wings' (U), mediocre $2,200.

Cinema de Paris (France-Film) (800; 25-50)—'L'Homme de Niger' (3d wk). Holding well for probable $1,300 after good $1,400 last week.

St. Denis (France-Film) (2,300; 25-34) — 'Derniere Jeunesse' and 'Femme de mes Reves.' Good $5,500. Last week, 'Tourbillion de Paris' and 'Rot des Gangsters,' nice $5,800.

'BLONDE' 7½G, INDPLS. MILD

Indianapolis, Feb. 25.

Total amount of currency this week is thin, with inside attractions as alibis, 'Philadelphia Story,' dualled with 'Gallant Sons' at Loew's in its second week, is holding up strong. Indiana is steady with 'Strawberry Blonde' and 'Convoy,' but take isn't up to expectations. Virginia coupled with 'Let's Make Music' at Circle is only fair.

Lyric, giving all the stage billing to John Kirby orchestra with Maxine Sullivan, plus 'Road Show' on the screen is in the black, but not far enough to give the management any surtax worries.

Estimates for This Week

Circle (Katz-Dolle) (2,600 25-30-40)—'Virginia' (Par) and 'Make Music' (RKO). Fair $5,800. Last week 'You're the One' (RKO) and 'Little Men' (RKO), weak $5,200.

Indiana (Katz-Dolle) (3,100; 25-30-40)—'Strawberry Blonde' (WB) and 'Convoy' (RKO). First pic helped by national display ads and good notices, but under expectations at $7,500. Last week 'Western Union' (20th) and 'Golden Hoofs' (20th), okay $8,000.

Loew's (Loew's) (2,400; 25-30-40) —'Philadelphia Story' (M-G) and 'Gallant Sons' (M-G) (2d wk). Good $6,200. Last week very good $12,100.

Lyric (Lyric) (1,900; 25-30-40)—'Road Show' (UA) and John Kirby orchestra with Maxine Sullivan heading vaude. Pair $8,000. Last week 'Tall, Dark' (20th) and vaude, not so good $7,200.

'GONE' BREEZY $16,000, PORT.; 'WU' $8,000, OK

Portland, Ore., Feb. 25.

'Gone With the Wind,' playing at pop prices at the Broadway, is the week's big winner, ramming through with a great $16,000. 'Western Union' next in line with about half that figure.

Estimates for This Week

Broadway (Parker) (2,000; 45-55) —'Gone' (M-G). Return at popular prices looks like a winner, and will get great $16,000. Last week (35-40-50), 'Philadelphia' (M-G) (2d wk), held up to a very agreeable $6,800, and moved to the Mayfair.

Mayfair (Parker-Evergreen) (1,500; 35-40-50) — 'Philadelphia' (M-G). Moved from Broadway for a third week, and in line for good $4,500. Last week, 'Back Street' (U) and 'LaZonga' (U) (2d wk), okay $3,000.

Orpheum (Hamrick-Evergreen) (1,800; 35-40-50)—'Victory' (Par) and 'Romance Rio Grande' (20th) with vaude. Nice $5,500. Last week, 'Honeymoon Three' (WB) and 'Little Men' (RKO) with vaude, good enough $5,000.

Paramount (Hamrick-Evergreen) (3,000; 35-40-50)—'Western Union' (20th) and 'Saint Palm Springs' (RKO). Strong $8,000. Last week, 'Kitty Foyle' (RKO) and 'Too Many Girls' (RKO), fell off in second week to fair $4,400.

United Artists (Parker) (1,000; 35-40-50)—'Strawberry Blonde' (WB) (2d wk) and 'Hit Parade' (Rep). Holding up well in second round to satisfactory $4,800. First week with 'East River' (WB), strong $5,300.

Minneapolis, Feb. 25.

Continuation of adverse weather conditions has box offices groggy. The elements started their dirty work a week ago and five-day stretch of 20 below zero temperatures cost the loop showhouses an estimated $18,000 the previous seven days.

Sudden closing of the 4,000-seat Minnesota last Thursday has ended the stage-show war, leaving the Orpheum victorious and in sole possession of the vaudfilm field. With Clyde McCoy's orchestra heading its stage array, and 'High Sierra' on the screen, the Mort H. Singer house boasts the strongest downtown box office ammunition and once more will come through with the town's top gross. The Minnesota, prior to its fadeout, had Louis Armstrong announced as its stage attraction.

'Virginia,' at the State, heads the none too impressive list of newcomer films. Others include 'Honeymoon Three' and 'Flight for Destiny,' Gopher and World offerings, respectively. 'This Thing Called Love,' exhibiting a considerable box office wallop, has moved over from the State to the Century for a second week. It's the town's only holdover.

Stock burlesque gets under way Friday (28) at the Alvin, with Ann Corio as guest star, under the sponsorship of the veterans, Harry Hirsch and Harry Katz.

Estimates for This Week

Aster (Par-Singer) (900; 15-28)—'Li'l Abner' (RKO) and 'Charter Pilot' (20th), dual first runs. Looks like satisfactory $1,600. 'Face Behind Mask' (Col) and 'Make Music' (RKO), also dual first runs, open Thursday (27). Last week, 'San Francisco Docks' (U) and 'Youth Served' (20th), dual first runs, split with 'Lucky Devils' (U) and 'Where Get Girl' (U), also dual first runs, light $1,200.

Century (Par-Singer) (1,600; 28-39-44)—'Thing Called Love' (Col) (2d week). Moved here from State where it did a big first week despite heavy weather handicap. Should reach good $5,000. Last week, 'Santa Fe' (WB) (2d wk), mild $3,000.

Gopher (Par-Snyder) (906; 28)—'Honeymoon Three' (WB). Well spotted in this house catering to the younger folks. May reach okay $1,000. Last week, 'Vigilantes' (U), $2,600, satisfactory considering weather.

Minnesota (Middle States) (4,000; 28-39)—Last week, 'Drums Desert' (Mono) and vaude, including Merry Macs. This spelled finis after an unprofitable seven-week operation. The murderous weather gave the knockout blow. Ended with bad $4,400, the frigid blasts probably clipping the gross to the extent of $2,000. House goes back to trustees in bankruptcy, and probably will wind up being converted into a garage or being torn down for parking lot to save taxes.

State (Par-Singer) (2,800; 28-44-55)—'Sierra' (WB) and Clyde McCoy orchestra heading stage show. Another tip-top entertainment buy, taking its place with the succession of amusement bargains at this house. Nice reach for fine $12,500. Last week, 'Chad Hanna' (20th) and Earl Carroll's 'Vanities' on stage, seemed headed for $18,000 and undoubtedly would have gone at least $6,000 higher than disappointing $12,500, except for brutal weather break.

State (Par-Singer) (2,300; 28-39-44)—'Virginia' (Par). Mildly received by critics and customers. Will be lucky to get good $7,000. Last week, 'Thing Called Love' (Col), $7,1000, fine, considering the weather.

Uptown (Par) (1,200; 28-39)—'Arizonia' (Col). First neighborhood showing. Looks like okay $2,500. Last week, 'Comrade X' (M-G), first nabe showing, $2,200, all that could be expected in view of wintry blasts.

World (Par-Singer-Steffes) (350; 28-39-44-55)—'Flight Destiny' (WB). Very nice $3,000 indicated. Last week, 'Long Voyage' (UA) (3d wk), $900, mild.

Don't Look Up Now

Hollywood, Feb. 25.

Bela Lugosi goes astral in his next chiller, 'Murder By the Stars,' to be produced by Sam Katzman for Monogram release.

Spooking starts March 29, with Al Martin writing the goose-flesh script.

Philly OK; 'Playgirl'-Noble 22½G 'Flight' $15,800, 'Bishop' $14,000

Philadelphia, Feb. 25.

(Best Exploitation: Boyd)

Heavy biz over Washington's Birthday weekend is helping to build up current grosses despite bitter cold spell and intermittent snow and slush. Newcomers are showing strength, though there's nothing standout compared with the continued potent biz chalked up by holdovers, 'Fantasia,' 'Philadelphia Story' and the hardy perennial, 'Gone With the Wind.'

Best of the new pix are 'Flight Command,' 'Playgirl' plus a stage show, and 'Cheers for Miss Bishop.' Latter is backed by hefty promotion capped by the sending of descriptive folders to 7,000 teachers in the Philly public and private school systems, as well as special screenings for heads of Parent-Teacher groups and educators.

Estimates for This Week

Aldine (WB) (1,303; 86-$1.14-$1.71)—'Fantasia' (Disney) (2d wk). Slipping slightly after preem, but will still net a solid $17,000. Opener a hefty $18,500.

Arcadia (Sablosky) (600; 35-46-57)—'Tall, Dark' (20th) (2d run). Disappointing in view of rave notices and heavy biz in first run showing. Will barely hit $2,800. Last week, revival of 'Rebecca' (UA) fared worse with poor $2,400.

Boyd (WB) (2,560; 35-46-57-68)—'Cheers Bishop' (UA). Rated kudos from the crix, and will grab satisfactory $14,000. Last week, 'Victory' (Par), a disappointing $11,200, and first picture in many months not to rate a h.o. at this deluxer.

Earle (WB) (2,350; 35-46-57-68)—'Playgirl' (RKO) with Ray Noble band on stage. Banging out zippy $22,500, plenty on the black side. Last week, 'Honeymoon Three' (WB) and Johnny Davis band garnered okay $19,800.

Fox (WB) (2,423; 35-46-57-68)—'Thing Called Love' (Col) (2d wk) and 'Xmas Under Fire' short. Still showing strength in h.o. with $13,200. Opener good for a punchy $18,700.

Karlton (WB) (1,066; 35-46-57-68)—'Philadelphia' (M-G) (2d run) (2d wk). Still powerful $7,800 after seven weeks downtown. Last week, bright $8,000.

Keith's (WB) (1,970; 35-46-57-68)—'Gone' (M-G) (2d run). Moved over from Stanley after four sock weeks, and still luring in the customers for a bang-up $6,000. Last week, 'Sierra' (WB) (2d run), n.s.h. $3,500.

Stanley (WB) (2,916; 35-46-57-68)—'Flight Command' (M-G). Good exploitation on this one building it up to a nice $15,800. Not in same class, however, with zingy $17,800 for fourth week of 'Gone' (M-G) last sesh. 'Virginia' (Par) preems here tomorrow (Wed.).

Stanton (WB) (1,457; 35-46-57)—'Mad Doctor' (Par). Chiller snagging an okay $5,800. Last week, 'Convoy' (RKO), a sleeper with $6,800.

'VA.' GRABS MOST OF LINCOLN CASH, $4,000

Lincoln, Neb., Feb. 25.

Pic patronage likes 'Virginia' over everything else this week. Film will grab what little coin is floating loosely hereabouts, and there'll be relatively slim pickings for all the others.

Lincoln, with 'Back Street,' is definitely back-seat. House is seeing itself through its third straight bad week, and is hoping for a change in the cash outlook with 'Western Union,' which is coming mid-week.

Estimates for This Week

Colonial (Monroe-Noble-Federer) (750; 10-15)—'Libel' (RKO) and 'Trail Blazers' (Rep), split with 'Can't Fool Wife' (RKO) and 'Ridin' Rainbow' (Rep). Autry last half is bootstrap hoister toward $1,000, good. Last week, 'Thundering Frontier' (Col) and 'Curtain Call' (RKO), split with 'Isle Destiny' (Col) and 'Double Trouble' (RKO), fair $800.

Lincoln (J. H. Cooper-Par) (1,503; 10-25-40)—'Back Street' (U). Word-of-mouth comment crimping to $2,800, n.s.g. Last week, 'Buck Privates' (U), a weakie at $2,500.

Nebraska (J. H. Cooper-Par) (1,236; 10-20-25)—'Get Girl' (U) and 'Haunted Honeymoon' (M-G). Nice $2,100. Last week, 'Invisible Woman' (U) and 'Ride, Kelly' (20th), very nice $2,300.

Stuart (J. H. Cooper-Par) (1,884; 10-25-40)—'Virginia' (Par). Best in town here, around swell $4,000 expected. Last week, 'Gone' (M-G) (2d wk), good $3,700.

Variety (Noble-Federer) (1,100; 10-20-25)—'Housekeeper's Daughter' (UA) and 'Petticoat Politics' (Rep). So-so $1,800. Last week, Devil Commands' (Col) and 'Phantom Chinatown' (Mono), split with 'Make Music' (RKO) and 'Crooked Road' (Rep), fair $1,800.

Varsity (Noble-Federer) (1,100; 10-25-40)—'Ends Night' (UA). About $2,800 is all that can be hoped for. Last week, 'Sierra' (WB), no heft either, $2,400.

Key City Grosses

Estimated Total Gross

This Week $1,778,500

(Based on 25 cities, 175 theatres, chiefly first runs, including N. Y.)

Total Gross Same Week

Last Year $2,096,300

(Based on 25 cities, 175 theatres)

'PHILLY'-'ROAD' $43,000, TWO HUB SPOTS

Boston, Feb. 25.

'Philadelphia Story' is an SRO sockeroo at the Orpheum and State this week, and is certainly pointing to a holdover. 'Hudson's Bay' is holding for a second stanza at the Memorial; and 'Virginia' is strong at the Met because of the hometown angle involving Stirling Hayden, one of the featured players.

Hayden was wined, dined and toasted for about a week in and around Boston before 'Virginia' opened; and he is also making personal appearances at the Met for three days during the run of the film.

Holiday scales prevailed over the weekend, and fair weather kept the b.o. cashiers busy.

Estimates for This Week

Boston (RKO) (3,200; 33-44-55-65)—'La Zonga' (U) and Ben Bernie on stage, four days; and 'Hoosier Schoolboy' (Mono) (re-issue) and 'Old Colorado' (Par) (1st run), double, three days. Aiming at $12,000, good. Last week, 'Dead Man's Shoes' (Mono) and 'Ridin' Rainbow' (Rep), with stage show, four days; and 'Arizona' (Col) and 'Angels Broadway' (Col) (both 2d run), dual, three days, $8,000, satisfactory.

Fenway (M&P) (1,332; 28-39-44-55)—'Western Union' (20th) and 'Black Parrot' (WB) (both 2d run). Heading for good $6,000. Last week, 'Mad Doctor' (Par) and 'Jennie' (20th), so-so $4,500.

Keith Memorial (RKO) (2,907; 28-39-44-55)—'Hudson's Bay' (20th) and 'Invisible Woman' (U). Holdover promising very okay $14,000. First week, hefty $19,000.

Majestic (Shubert) (1,014; 75-$1.10-$1.65)—'Fantasia' (Disney) (5th wk). Showing good sustaining pull, and will take about $13,500 this stanza. Fourth week, also capacity, $15,000.

Metropolitan (M&P) (4,367; 28-39-44-55)—'Virginia' (Par) and 'Ride, Kelly' (20th), with personal appearances by Stirling Hayden, three days. Will probably go to $20,000, very good. Last week, 'Buck Privates' (U) and 'Wild Man Borneo' (M-G), $13,500.

Orpheum (Loew) (2,900; 28-39-44-55)—'Philadelphia' (M-G) and 'Road Show' (UA). Going the limit for this scale around $25,000, and holdover. It has been filled and refill here since the opening (20). Last week, 'Thing Called Love' (Col) and 'Nobody's Children' (Col), five-day holdover, okay, $12,300.

Paramount (M&P) (1,797; 28-39-44-55)—'Western Union' (20th) and 'Black Parrot' (WB) (both 2d run). Indicating good $8,000. Last week, 'Mad Doctor' (Par) and 'Jennie' (20th), $6,000, off.

Scollay (M&P) (2,538; 28-39-44-50)—'Sierra' (WB) and 'Honeymoon Three' (WB) (both 2d run). Okay $4,500. Last week, 'Victory' (Par) and 'Henry' (Par) (both 2d run), $3,500.

State (Loew) (3,600; 28-39-44-55)—'Philadelphia' (M-G) and 'Road Show' (UA). Shooting for $18,000, smash. Last week, 'Thing Called Love' (Col) and 'Nobody's Children' (Col), holdover for five days, adequate $8,800.

'VIRGINIA' $9,000 TOPS OMAHA; 'STREET' 8½G

Omaha, Feb. 25.

'Virginia' and 'South of Suez' are topping the town this week at the Omaha. The Orpheum will reach $8,500 with 'Back Street' and 'Night Train' which, while it is nothing to get excited about for this house, is a whole lot better than last week's gross of little better than $6,500 with 'Victory' and 'Bank Dick.' The showing of this dual was so much lower than expected that the pix were yanked two days ahead of time.

The Brandeis with the second week of 'Santa Fe Trail' and 'Let's Make Music' is pretty good with $3,500.

Estimates for This Week

Omaha (Tristates) (2,000; 10-30-40)—'Virginia' (Par) and 'South Suez' (WB). Okay $9,000. Last week, 'Come Live' (M-G) and 'Reuters' (WB), only fair $8,300.

Orpheum (Tristates) (3,000; 10-30-40)—'Back Street' (U) and 'Night Train' (20th). Satisfactory $8,500. Last week, 'Victory' (Par) and 'Bank Dick' (U), $6,500, so slow that program was yanked two days early. 'Victory' mainly to blame.

Brandeis (Mort Singer) (1,500; 10-25-35-40)—'Santa Fe' (WB) and 'Make Music' (RKO) (2d wk). Good for $3,500, still pretty nifty. Last week, big $6,000.

State (Goldberg) (900; 10-20-25)—'Kitty Foyle' (RKO) and 'Nellie Kelly' (M-G), split with 'Mummy's Hand' (U), 'Nobody's Children' (Col) and 'Sandy Man' (U). Nice $900 indicated. Last week, 'Westerner' (UA) and 'Nanette' (RKO), split with 'Petticoat Politics' (Rep), 'Argentine Nights' (U) and 'Kildare's Crisis' (M-G), fair $800.

Town (Goldberg) — 'Fargo Kid' (RKO), 'Argentine Nights' (U), 'Ellery Queen' (Col), triple, split with 'Husbands Work' (Rep), 'Old Monterey' (Rep), and 'Argentine Way' (20th), 'Devil's Marksman' (Rep). Pretty fair $1,000. Last week, 'Men Texas' (Par), 'Congo Maisie' (M-G) and 'Yesterday's Heroes' (20th), triple, split with 'Colorado Sunset' (Rep), 'Tell No Tales' (M-G) and 'Northwest Mounted' (Par), single featured, fair $800.

Avenue-Military-Dundee (Goldberg) (950; 300; 600; 25)—'Kitty Foyle' (RKO) and 'Nellie Kelly' (M-G), split with 'Our Town' (UA), 'Sandy Man' (U) and 'Melody Ranch' (Rep). Pretty good $1,100. Last week, 'Nanette' (RKO), 'Kildare's Crisis' (M-G) and 'Mummy's Hand' (U), split with 'Petticoat Politics' (Rep), 'Argentine Nights' (U) and 'Slightly Tempted' (U), okay $1,000.

'VIRGINIA' 18G, H.O.'S HOLD DET.

Detroit, Feb. 25.

Strength of the picture biz here is reflected this week by the fact that all films, with one exception, are holdovers. Only the Michigan, of the six houses now handling first-run stuff, comes up with a fresh bill.

Fox, after sliding up to a huge $22,000 last week with its new policy of double-bills in the afternoon and a solo on its chief feature at night, stretches to two weeks 'Western Union' and the parttime 'Blondie Goes Latin.' United Artists, starting off its pic bill at the unholy hour of 8 a.m., landed close to the same figure with the return of 'Gone.'

Adams is carrying 'Back Street' a second week, after one earlier at the Fox, which is three weeks downtown for this one. Palms-State gives an added week to 'Kitty Foyle,' moved from the Michigan, for a third week on this one. Both these houses use their new policy of adding a different picture each week, the Adams freshening up its bill with 'Meet the Chump,' while the Palms took over 'High Sierra' from the Michigan.

Wilson is now back again in the local scene with 'Fantasia,' which brought all the town's crix and columnists to clash, and is running fair, with indications of added strength because of the controversy.

Michigan alone has a new bill and should take the leadership with its offering of 'Virginia' and 'You're the One,' although it may get a challenge from some second weekers.

Estimates for This Week

Adams (Balaban) (1,700; 30-40-55)—'Back Street' (U) (2d wk) and 'Meet Chump' (U). Looks to hold up to a good $5,500 after a choice $7,000 last week, when 'Back Street' was paired with 'Ride, Kelly' (20th).

Fox (Fox-Michigan) (5,000; 30-40-55)—'Western Union' (20th) and 'Blondie Latin' (Col) (2d wk). Should continue with a strong $16,000, after gleaning a hefty $22,000 last week.

Michigan (United Detroit) (4,000; 30-40-55)—'Virginia' (Par) and 'You're the One' (Par). Moving briskly with a nice $18,000 in prospect. Last week, 'Sierra' (WB) and 'Nanette' (RKO), fair $16,000.

Palms-State (United Detroit) (3,000; 30-40-55)—'Kitty Foyle' (RKO) and 'Sierra' (WB) (2d wk). Second picture moved over after week at Michigan to catch house's blood-and-thunder following. May hold up to last week's big $9,000. Last week, 'Kitty' and 'Phantom Chinatown' (Mono) were the entries.

United Artists (United Detroit) (2,000; 40c to 4 p.m.; 55c evenings; 40c to noon Sundays)—'Gone' (M-G) (2d wk). Looking for a choice $18,000 back of first week's $21,000.

Wilson (2,000; weekday mats 75c and $1.10; week-end mats and nights, $1.10 and $1.65)—'Fantasia' (Disney). Looks like unimportant $12,500 for the first full week. Last week on nine performances came out with fair $9,000.

End of L.A. Rains Spells Biz; 'Gone' Gusty $19,300, 'Va.' H. O. $16,000, 'Smith' 2d Lofty 18G

Broadway Grosses

Estimated Total Gross

This Week $380,200

(Based on 13 theatres)

Total Gross Same Week

Last Year $416,300

(Based on 12 theatres)

'VA.' HOTSY 15G, BUFF. LICKS OPPOSISH

Buffalo, Feb. 25.

Against the most brutal kind of opposition from the weather and from competing forms of entertainment, the ticket boxes at Buff pix parlors are continuing to chop away merrily and in plenty profitable fashion.

Considering the fact that during the week the Ice Follies showed to around 50,000 persons in five days, and that in addition the town's amusement roster included a legitimate show, at least four concerts, half a dozen indoor sports events, little theatre productions nightly and semi-public-balls and benefit functions no end, the brisk velocity exhibited by the picture b.o.'s is little short of remarkable.

'Virginia,' dualed at the Buffalo, is running close to last week's staunch Calloway numerals while 'Hudson's Bay' and 'Tall, Dark and Handsome' will hit another sweet money mark at the Hipp.

Estimates for This Week

Buffalo (Shea) (3,500; 35-55) — 'Virginia' (Par) and 'Henry' (Par). Business continues in upper reaches. Probably around dandy $15,000. Last week, 'Road Show' (UA) and Cab Calloway on stage, rode to over $16,000, lofty.

Great Lakes (Shea) (3,000; 35-55) — 'Hudson's Bay' (20th) and 'Tall, Dark' (20th). Maintaining powerful pace for around $9,500. Last week, 'Son Cristo' (UA) and 'Blackout' (UA), solid $9,800.

Hipp (Shea) (2,100; 30-45) — 'Son Cristo' (UA) and 'Blackout' (UA) (2d run). Slowing down, but should see fair enough $6,000. Last week, 'Ends Night' (UA) and 'Maisie' (M-G) (2d run), okay $5,600.

Lafayette (Hayman) (3,300; 30-40) — 'Back Street' (U) and 'Meet Chump' (U) (2d wk). Holdover rubber good enough at $5,500. Last week, fast clip brought staunch numerals at around $11,000.

20th Century (Dipson) (3,000; 30-40)—'Aunt Maggie' (Rep) and Singers Midgets on stage, split with 'Little Men' (RKO) and 'Barnyard Follies' (Rep). Another split-week passable $5,500. Last week, 'South Suez' (Par) and 'Remedy Riches' (RKO), under $4,000, n.s.g.

'GONE' H.O. 11G PACES SEATTLE; 'VA.' $8,000

Seattle, Feb. 25.

Defense spending is beginning to reach a high tempo, but there's still more to come. Since Seattle is one of the nation's key defense points, coin will be scattered around plentifully, both now and in the future.

'Gone,' in its second stanza at the Paramount, still leads the town with a resounding $11,000. 'Virginia' is next with $8,000 to its credit. Grosses all along the line, however, are sturdy, and there's nothing to complain about.

'Sneak previews' are getting to be the style here, with one pulled for 'Virginia.' The Orpheum has had two of 'em, and this type of exploitation seems to stimulate interest.

Estimates for This Week

Blue Mouse (Hamrick-Evergreen) (850; 30-40-50)—'Come Live' (M-G). Moved over from the Fifth for a second week, and getting a moderate $1,800. Last week 'Mr. and Mrs. Smith' (RKO) and 'Little Men' (RKO) (2d wk), $2,200, fair.

Coliseum (Hamrick-Evergreen) (1,900; 21-35)—'Comrade X' (M-G) and 'Arizona' (Col). Dandy $3,400. Last week 'Bagdad' (UA), 'Vigilantes' (U), $3,000, okay.

Fifth Avenue (Hamrick-Evergreen) (2,349; 30-40-50)—'Virginia' (Par) and 'Henry' (Par). Big $8,000 on deck. Last week 'Come Live' (M-G), $5,300, fair.

Liberty (JvH) (1,650; 30-40-50)—'Thing Called Love' (Col) (3d wk). Heading for good $4,600. Last week, same film, great $5,800.

Music Box (Hamrick-Evergreen) (850; 30-40-50)—'Philadelphia' (M-G) and 'Shayne Detective' (20th) (6th wk). Closing a great run by getting a good $2,500 the last eight days. Last week $3,200, big.

Orpheum (Hamrick - Evergreen) (2,600; 30-40-50)—'Buck Private' (U) and 'Black Parrot' (WB) (2d wk). Big $5,700. 'Dr. I. Q.' on stage Monday night was a help toward this figure. Last week, same films, $7,800, great.

Palomar (Sterling) (1,350; 20-30)—'Meet Chump' (U) and 'Father's Son' (WB) plus 'Coconut Grove Revue' on stage. Good $5,400. Last week 'Flight Destiny' (WB) plus vaude, backed by big campaign, but disappointed with mild $5,000.

Paramount (Hamrick-Evergreen) (3,039; 40-58)—'Gone' (M-G) (2d wk). Magnificent $11,000 after ditto $18,000 last week.

Roosevelt (Sterling) (800; 30-40-50)—'Sierra' (WB), three days of fourth week, split with 'Nellie Kelly' (M-G) and 'San Francisco Dock' (U) (2d run). Big $2,700. Last week 'Sierra' (WB) (3d wk), big $3,500.

Winter Garden (Sterling) (800; 16-30)—'Zorro' (20th) and 'Letter' (WB). Fine $2,300. Last week 'No Time Comedy' (WB) and 'Here Comes Navy' (WB), only fair $1,900.

Los Angeles, Feb. 25.

A break in the torrential rains over Saturday and Sunday helped most of the first-runs to retrieve some of the financial weakness of the early part of the week. Consequently the majority of houses are showing substantial takes.

Holdovers held their own, with the Paramount leading the pack at $16,000 with 'Virginia.' Fourth week of 'Fantasia' is heaping up a neat $14,200, while the second week of 'Mr. and Mrs. Smith' is heading the RKO and Pantages to a lofty $18,000.

'Gone With the Wind' on its first showing at pop prices is garnering a terrific $19,300. Holdover of 'Strawberry Blonde' will account for another sweet $14,500 for the Warner day-daters.

Estimates for This Week

Carthay Circle (F-WC) (1,516; 83-$1.10-$1.65) — 'Fantasia' (Disney) (4th wk). Running neck and neck with previous stanzas and another $14,200 in sight after third week brought excellent $14,500.

Chinese (Grauman-F-WC) (2,034; 30-44-55-75) — 'Maisie Lady' (M-G) and 'Mary Dugan' (M-G). Anything but hot as $7,500 attests. Last week, 'Western Union' (20th) and 'Ride, Kelly' (20th), good $9,400.

Downtown (WB) (1,800; 30-44-55)—'Strawberry Blonde' (WB) and 'Father's Son' (WB) (2d wk). Fine $7,500 anticipated. First seven days brought excellent $9,400.

Four Star (UA-F-WC) (900; 30-44-55)—'Gone' (M-G). First run at pop prices looks like excellent $5,800 in the till. Last week, 'Cheers Bishop' (UA) (5th-final wk), garnered $1,400 on six days.

Hawaii (G&S) (1,100; 30-44)—'Rebecca' (UA) (revival) and 'Challenge' (FA) (2d wk). Headed for profitable $1,400 after first week brought excellent $2,500.

Hollywood (WB) (2,756; 30-44-55)—'Strawberry Blonde' (WB) and 'Father's Son' (WB) (2d wk). Outdrawing previous Cagney's in Hollywood and second stanza looks like $7,000 after first week ended with comfortable $9,200.

Orpheum (B'way) (2,200; 30-44-55)—'Ridin' Rainbow' (Rep) and 'Gallant Sons' (M-G) plus stage show. Biz back to normal with about $7,500 in sight. Last week, with George Jessel and Lois Andrews on stage, disappointing $11,000.

Pantages (Pan) (2,812; 30-44-55)—'Mr. and Mrs. Smith' (RKO) (2d wk) and 'Make Music' (RKO). On holdover, aided by new second feature, should reach $9,500. First stanza finished with very big $15,000.

Paramount (Par) (3,595; 30-44-55-75)—'Virginia' (Par) (2d wk) and 'Henry' (Par) plus stage show. Holdover, with an added feature, heading for another big $16,000. Last week, 'Virginia' solo, terrific $18,900.

RKO (RKO) (2,872; 30-44-55) — 'Mr. and Mrs. Smith' (RKO) (2d wk) and 'Make Music' (RKO). Looks like $8,800 on holdover. First week, very good $12,600.

State (Loew-F-WC) (2,404; 30-44-55-75)—'Maisie Lady' (M-G) and 'Mary Dugan' (M-G). Allright $10,300. Last week, 'Western Union' (20th) and 'Ride, Kelly' (20th), very good $12,800.

United Artists (UA-F-WC) (2,100; 30-44-55) — 'Gone' (M-G). Heading for terrific $13,500 on first week of downtown pop-priced run. Last week, 'Tall, Dark' (20th) and 'Girl in News' (20th), very week $1,100.

Wilshire (F-WC) (2,296; 30-44-55)—'Western Union' (20th) and 'Ride, Kelly' (20th). Doing fair on moveover with around $4,600 in sight. Last week, 'Tall, Dark' (20th) and 'Girl in News' (20th), so-so $3,300.

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Arty Legits in Film Form and Refugee Producers' Pix, Made in U.S. or S.A., May Replace Foreign Pic Dearth

With distribs of foreign films nearing the end of the supply of product remaining in this country, they are looking to three new sources to meet the demands of the arty audiences they have built up. These are:

1. Films of Broadway plays made directly from the legiters in New York with the original casts.

2. Output of refugee directors and producers who have been forced out of Europe and are now beginning to get their bearings in Hollywood.

3. Ditto of the above, but from expatriated Europeans now settling in Latin America, particularly Argentina.

That's the program advanced by Irvin Shapiro, head of World Pictures Corp., N.Y., which has been one of the more important distribs of foreign films, mainly French. Shapiro feels that his outfit and similar ones have created a fairly profitable and steady audience for the arty foreign stuff and economic motives will naturally force them to seek out substitutes to maintain what they have established.

He estimates that there are approximately 25 other French pix now in the United States which have not been released, providing about a year's supply of product for the distribs who own them. Most of the distribs are adamant against buying any others from German interests which now control what was in Paris vaults or from the unoccupied portion of France, where some pictures are now being made.

Some Examples

World Picture chief is enthusiastic about the idea of filming stage plays and is preparing to finance producers of such pictures. What he figures on is such a thing as 'Native Son,' which Orson Welles is now producing as a legiter. With a Negro angle, it may not be for Hollywood, yet Shapiro feels that for the arty audience it would be sock, between Welles' name and the best-selling novel on which the play is based.

Shapiro figures on getting a number of other shows that have failed to create Hollywood interest because of one angle or another which, paradoxically, make them doubly interesting to little theatre audiences. Among examples he has in mind are Elmer Rice's 'Flight to the West,' which is announced to close on Broadway Saturday (1) night, and Clifford Odets' 'Awake and Sing,' which was on several seasons ago.

Way Shapiro has it figured, these could be filmed in about four days for from $10,000 to $15,000. Good French films in the past have grossed him $75,000-$100,000, so possibilities exist for a good profit. Even the worst French pix have brought $15,000-$20,000, making Shapiro see little chance of a loss, while 'Maedchen in Uniform' did $300,000, likely to be repeated by 'The Baker's Wife.'

Authors and stage producer would have to participate on a percentage arrangement just as they do in the stage production, not getting a guaranteed fee for film rights as Hollywood pays. Shapiro, while willing to advance coin, is not interested in producing the films himself. He hopes to get the legit producers to double in that job.

Anderson's Play in 16 Mm.

One play, Maxwell Anderson's 'Journey to Jerusalem,' has already been filmed by Joseph Pollack. He obtained only 16 mm. rights, however, aiming the play, which has a religious slant, for church groups.

Among exiled Europeans in Latin-America whom Shapiro anticipates will go to work on product suitable for subtitling for U.S. arty markets are Geza Polaty, Hungarian producer who worked in Germany and Spain and who is now in Cuba; Theodore Pehle, Austrian cameramen now in Mexico; George Sklarz, German producer now in Argentina, and Martinez Sierra, Spanish playwright now in Argentina. He thinks Latin-America will be more fruitful than Hollywood for refugees, for while Europeans arriving on the Coast are treated rather diffidently, they are welcomed pretty much as big shots in S. A.

RKO's Spanish-Made Nears Completion

Initial feature film to be made by RKO in Spain, 'El Crucero Baleares,' is virtually completed except for editing and retakes, according to word received in N. Y. from the studio in Barcelona.

RKO is undertaking the production to dislodge some of its distribution coin frozen in Spain. It's being turned out for around $200,000. Story concerns the civil war in Spain.

ARGENTINE PIC FIRM LINKED TO NAZIS

Buenos Aires, Feb. 25.

Charges that Argentina Sono Film, one of the Big Five film producers here, is 'subsidized by unlimited credits granted by the German Embassy and the Banco Germanico' (German Bank), are made in a recent issue of the anti-Nazi weekly, Accion Argentina.

Sheet says that before each preem company advertises in newspapers and magazines of 'distinct totalitarian tendency' and particularly 'carries out its work in favor of the activities of the Fifth Column' through the Pan-American Newsreel, which it operates.

Shown a copy of Accion Argentina's story by VARIETY, officials of Argentina Sono Film said the story was 'so ridiculous it was not worth answering.' Added that they received no cash from Nazi sources and that newsreel edition singled out by Accion Argentina spoke for itself.'

Demand is made for a police and municipal investigation. Paper explains that it has watched offices of the company and suspects 'there are certain mysterious meetings.' Declares money from the German bank is 'not just to elevate the level of production,' but to use the company as a pretext for pro-German interests carrying out orders from the German Ministry of Press and Propaganda.

Paper has no connection with militant anti-Nazi organization of the same name. Organization has almost a million signers to anti-dictator petitions.

London in Wartime

London, Feb. 1.

A. E. Abrahams applying for license to reopen his Scala theatre, Charlotte street, as film spot.

Contrary to expectations, 'The Dictator' will vacate the Gaumont (Haymarket) after eight weeks to make room for 'Long Voyage Home.' Stays full 10 weeks at the Prince of Wales, being replaced by new Ronald Frankau revue.

Adrienne Allen's husband, Captain William Dwight Whitney, American lawyer, is at a military college.

Leslie Abbott, son of John Abbott, into the Royal Air Force as wireless operator.

Felix Aiven, formerly with the foreign sales of Associated British Picture Corp., is now lieutenant in the Pioneer Corps.

Len Berry, of the Archie Parnell office, has joined the Home Guards.

Derrick de Marney, who has just completed film short, 'This Is Poland,' is doing another on the Polish exiles in England.

Jessie Bond, one of the last of the old Savoyards, celebrated her 88th birthday.

Barry O'Brien, having been blasted out of his offices, transferred his headquarters to Maidenhead.

Stage and radio stars Betty Astell and Cyril Fletcher announce approaching marriage.

JACK SEGAL CRITICAL; WIFE KILLED IN CRASH

Jack Segal, head of Columbia Picture's foreign exchange operations, seriously injured in an auto accident early Sunday (23) morning, was reported slightly improved at the Paterson (N. J.) general hospital yesterday (Tuesday). Mrs. Anna Segal, his wife, who was riding with him when their auto crashed into a tree in Glen Rock, N. J., was instantly killed. They were returning home from attending the Columbia Pictures' annual party and ball in N. Y., Saturday night.

Segal, who suffered a fractured skull and numerous other injuries, is still in a critical condition.

Joseph McConville, Columbia foreign sales chief, who was starting off on a brief inspection tour of Latin-American countries, planed back from Miami (as far as he had gone on his trip) when informed of the accident, arriving in N. Y. early Monday.

Mex Amusement Biz Optimistic As Result of Ex-President's Speech, Prospect of Labor Chief's Defeat

Mexico City, Feb. 23.

Expectations of the amusement biz for better times in Mexico have been stimulated by two current events. One is in the speech of ex-President Gen. Abelardo L. Rodriguez, who seven years ago gave Mexico what many believe to be the best government she has had in recent times. In his talk he urged 'away with demagogies and social experiments based upon exotic theories.' It was a speech that is construed as reflecting the rightist policy of the new administration. Good prospects that the country's labor czar, Vicente Lombardo Toledano, will at long last step down, is the other event.

Gen. Rodriguez's statesments are particularly pleasing to the amusement biz for, he asserted, the best medicine for Mexico is to get to work. 'To produce, to contribute to the development of national economy, will assure our independence and accomplish the social, cultural and economic elevation of our people, of our country,' he declared. 'That requires a sane and wholesome orientation and the compliance with our obligations.'

The amusement industry is delighted at talk that is growing stronger in labor circles, though these circles are not much pleased about Gen. Rodriguez's statements, to the effect that Lombardo Toledano will be counted out at the election of officers, high spot of the annual convention of his organization, the Confederation of Mexican Workers, which opens here today (25).

This talk is that Fidel Velazquez, the Confederation's press agent, has been assured the votes of most members to make him the successor of the Stalin henchman, Don Vicente, who, during the many years he has been in charge, has been linked to many labor 'incidents' involving the amusement and other businesses in Mexico.

See Ben Henry Quitting ATP for Col. in London

London, Feb. 25.

It now appears likely that Ben Henry will leave Associated Talking Pictures to join Columbia as an associate producer here. It was originally reported he might hook up with 20th-Fox.

Under the deal, it is understood Henry is taking George Formby, British screen comedian, whom he has under personal contract, with him.

250-YR. BRITISH CLOSING LAW LIFTED

London, Feb. 25.

The first wedge in what is expected will be the ultimate killing nationally of the traditional Sunday curfew in England was struck last week when legit theatres and music halls were permitted to open on the Sabbath in districts where troops and munitions workers are housed. This gives the theatres and music halls equal privileges with the filmeries. The curfew had been in effect for two and a half centuries.

Idea back of the movement is to permit members of the defense services an opportunity to enjoy themselves on Sunday, since during the week they have little chance to attend places of amusement.

With permission for stage show entertainment to open Sundays in districts where defense work is being carried on, Cinematograph Exhibitors Assn. proposes to make a direct appeal to the government to abolish its charity tax on cinemas opening Sundays.

This tax averages 10% of the gross and approximates $3,000,000 annually. Tax does not apply to stage shows.

AL FRESCO OPERA DOES RECORD BIZ IN B. A.

Buenos Aires, Feb. 25.

Open-air summer season of Teatro Colon, B.A.'s municipally operated opera; has just passed halfway mark of current season, reporting greater boxoffice than any time in its 10-year history. Been drawing full houses of 10,000 and turning half as many more away on every clear night.

Smash biz has caused local press to demand construction of new outdoor playhouse that editorialists insist will be no burden on the city budget, which usually antes up plenty for the winter session.

Wilhelm Karol's $60,000 Commission Claim vs. U

Wilhelm Karol, formerly special Paris representative of Universal Pictures Co., lost a point Thursday (20), when Justice Bernard L. Shientag in N. Y. supreme court ordered him to be examined before trial in connection with his suit against Universal. The trial may not proceed until 20 days after Karol, who is now in Havana, is examined.

Plaintiff seeks $60,000 commissions allegedly due him for securing $400,000 for Universal for its product from Giuseppe Musso of Rome. The film company says that Karol was paid $75 weekly plus 1,000 lira weekly expenses while setting the deal, and that it deposited 43,108 additional lira for him in Italy in full settlement of all claims.

McConville's Tour

Joseph A. McConville, Columbia's foreign manager, is on a month's tour by air of six of the company's Latin American offices. He left Friday (21).

He'll visit Puerto Rico, Trinidad, Venezuela, Colombia, Panama and Cuba.

Vina Del Mar, Chilean Spa, Draws From 6 Nations; Gambling's Big Biz

By RAY JOSEPHS

Vina del Mar, Chile, Feb. 25.

With a U. S. floor show to lure patrons into the Casino, Vina del Mar No. 1 west coast South American seaside spot, reports top biz this season, with plenty of coin being wagered at the tables, hotels and nite spots crowded and crowds willing to spend on entertainment.

Although smaller and less modern than Mar del Plata, Argentina's leading seaside resort, Vina gets tremendous draw from all parts of Chile, Peru, Bolivia, Ecuador, Colombia and Argentina. Latter crowd makes the long jaunt—eight hours by plane but three days over the pampas and the Andes—because the rate of exchange makes every visitor with a little folding money practically into a millionaire.

Because of the California-like climate, spot gets the prettiest girls, fattest diplomats, biggest biggies who come to swim, eat, make love and gamble in about that order. Argentines lead the foreign crowd, Peruvians, Ecuadorians, Colombians and Bolivians trail along and so do the Yanks. Even a VARIETY mugg can command a luxury suite at the O'Higgins, town's swankiest tavern, for less than three bucks a day (U. S.). That's full rate and includes breakfast in bed.

Plotting Matched at Tavern

Stock gag is that half the political plots in S. A. are hatched at the O'Higgins (pronounced Oh-HE-gans; he was Irish and Chile's Geo. Washington). You can't tell, but there's plenty of talk in a dozen languages. Head porter—onetime Berlin lawyer, now a refugee—can rattle off six.

Municipality is the showman and sees to it that everything keeps going. What keeps the municipality going, however, is the Casino. And the Casino means roulette and bacarat with a practically no-charge, class cabaret to drag in the customers. Cabaret is always crowded; always loses money because prices are set by the municipality as a tourist lure. Gambling take is plenty, even though general complaint is always that Chile has no cash. House keeps 30%, splits 64% of that to the city and puts the rest aside for profit and operation.

Equivalent of the jitterbug set can come into the cabaret for a 9c (U. S.) cover, order a drink for about the same, and keep going around the floor all evening while three bands keep pounding out the rhythm. Waiters never try to push up biz; no profit in it. Music is terrific. American band—or American-style band—is led by a Hungarian who speaks no English. It's good, though. Stickwaver, who looks and leads like Stokowski, gets the most popular U. S. recordings, repeats them almost note for note and sounds like a waxed copy of Dorsey or Miller.

Brazilian band, doing the samba, is No. 2. Plenty of oompah, plenty of long wails on the trombone. And hot. Then comes the tango band. Lights, usually brilliant without any atmosphere builddup, are dimmed only for the tango. There's no cheek-to-cheeking unless Americans are around. Then everybody frowns. Usually the locals first try it later, but you're not supposed to notice. Cabaret isn't only for the younger set. Gossip is much more intimate than in Manhattan and while everything looks 1941, what's done and what isn't falls into a pattern of the U. S. around 1910.

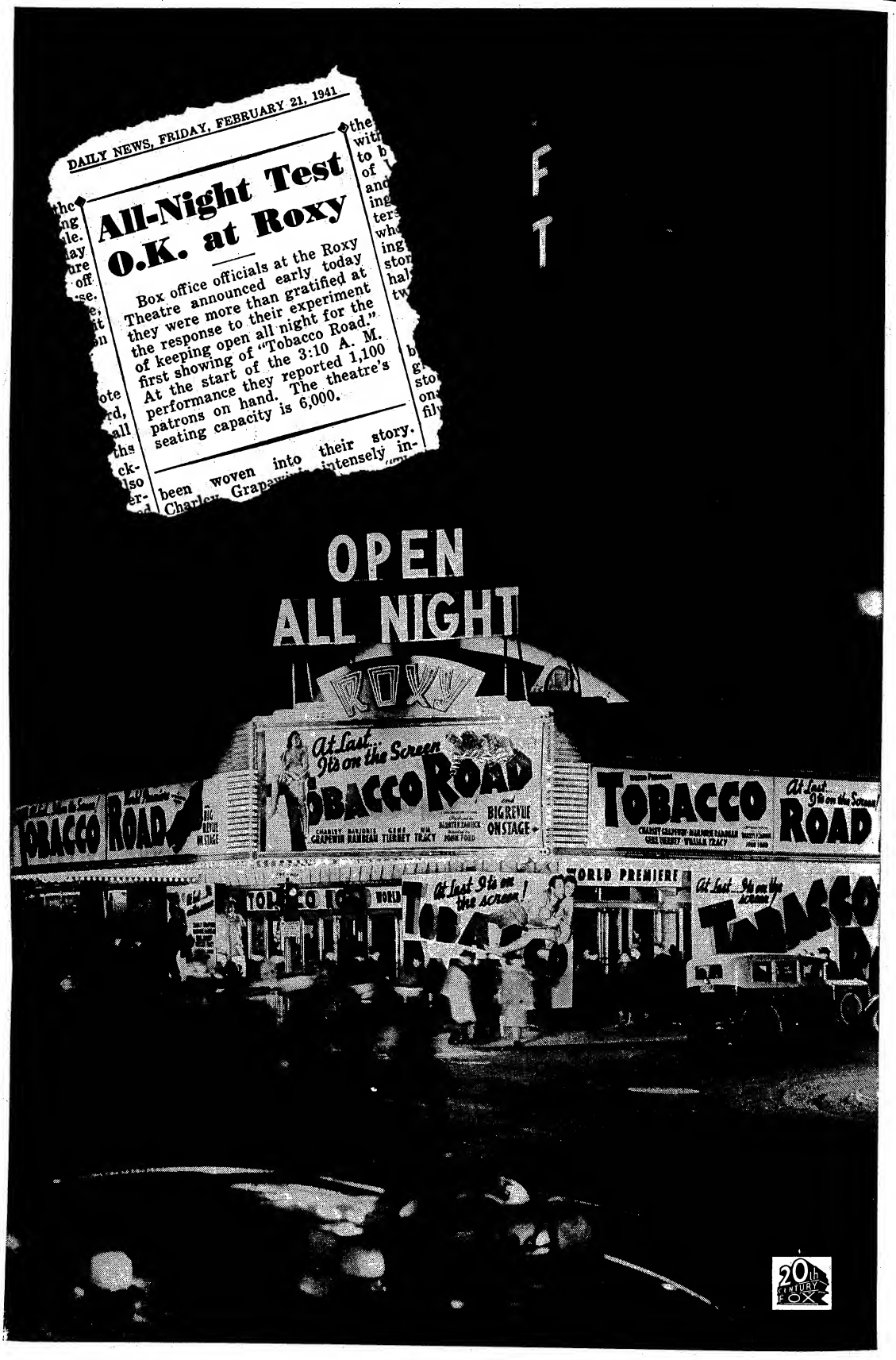
Other Entertainment Spots

There are an art gallery, restaurant, gardens with fountain displays and other attractions just a few steps from the cafe.

Outside the Casino most of the entertainment spots are daytime affairs. Film houses usually have but one show a day, 6:30 to 8:30. Lunch is at one, tea at 5:30 and dinner doesn't come until 10. Tea spots are very elegant, have dancing, bands and small shows. Jukeboxes are beginning to appear in many places unable to afford bands.

Vina carries on an extensive advertising campaign, using radio in all the countries from which it attracts visitors. Also tries other lures.

Town is about 20 minutes from Valparaiso, Chile's port, and two and a half hours from Santiago, the capital.


DAILY NEWS, FRIDAY, FEBRUARY 21, 1941
All-Night Test O.K. at Roxy
Box office officials at the Roxy Theatre announced early today they were more than gratified at the response to their experiment of keeping open all night for the first showing of "Tobacco Road." At the start of the 3:10 A. M. performance they reported 1,100 patrons on hand. The theatre's seating capacity is 6,000.
been woven into their story.
OPEN
ALL NIGHT
ROXY
At Last... It's on the Screen
TOBACCO ROAD
BIG REVUE ON STAGE
WORLD PREMIERE
20th CENTURY FOX

FINED FOR STAGE LOTTERY

Ben Hecht's Stand-In on Ambler's Novel Effects an RKO Pic Deal

Ben Hecht got himself a writing job at RKO last week as the result of a tricky series of negotiations by which the studio bought screen rights to a novel, 'Journey Into Fear,' published last fall. Company paid $10,000 for the book by Eric Ambler, British author.

Hecht got into the picture some months ago when he made an agreement with Ambler to dramatize the book, which also gave him a grip on the screen rights. That was several months after the book had been published and it appeared to Alan Collins, head of the Curtis Brown agency, which reps Ambler, that there was no film interest.

Offer by Hecht to dramatize the book, it was figured, might create some enthusiasm. It did, although Hecht never actually did any writing on it. Metro suddenly got a yen for the property and offered $5,000. That stirred Paramount and RKO, which offered $7,500. Collins couldn't sell it, however, without permission of Hecht, nor could Hecht unload the unwritten dramatization without approval of Collins, a stalemate resulting. It dissolved with RKO's offer of $10,000 plus a contract for Hecht to do the writing on it.

Producer David Hempstead will make the film, as it was his urging that caused RKO to buy it. Yarn is a European spy story. The author is in the British army. He wrote 'Cause for Alarm,' bought by Metro several years ago.

Serlin Too

Oscar Serlin, it is learned, has been making an attempt similar to Hecht's to get a grasp on screen rights to books which apparently hold no interest for Hollywood and can be optioned cheaply. He has been doing it as Hecht did by seeking dramatization rights, apparently hoping producers will become interested later via that route. It was in this manner he bought 'Dutch Vet,' book by A. Rosthaert, and he also holds screen rights to a biog of Nijinsky, the dancer. It's reported he has been querying about a number of others.

Warner Bros. on Monday (24) paid $40,000 for a new novel, 'In This Our Life' by Ellen Glasgow, and created a storm of furore in other companies. Latter claimed it was the first time in history that an important book has been sold without every company at least getting a chance to look at it. At least a half-dozen majors hadn't seen it. Warners said it likewise hadn't seen the book, but 'bought it after reading the jacket blurbs.' Sale was handled by a newcomer, Stanley Young, of Harcourt, Brace, the publishers, on whom the onus was placed.

Warner Bros. on the Coast last week purchased 'Gay Sisters' by Stephen Longstreet. Novel is to be published by Random House late this year or early next year. Price was $35,000, plus a fee for services of the author on the screenplay. He wrote 'Golden Touch,' novel which 20th-Fox bought last year.

Metro last week paid $5,000 for 'The Odor of Violets,' book by Bayard Kendrick. It's a mystery story with the principal character a blind detective who does his crime-solving via a seeing-eye dog. Metro figures it as a possibility for a series.

To reach top price of $50,000, 'M. H. Pulham, Esq.,' which Metro bought last week, will have to sell 200,000 copies. That's in addition to the more than 100,000 being taken by the Book of the Month Club. Metro's base payment for the yarn by J. P. Marquand is $15,000, to which is added approximately 17c, figured on a complicated formula, for each copy sold.

Peculiar situation has arisen of a producer privately bidding against his own company for a story property. Bidders are Clarence Brown, producer on the Metro lot, and Metro itself.

Yarn is 'Our Vines Have Tender Grapes,' novel by George Victor Martin.

Legislative Curtsy

Detroit, Feb. 25.

In appreciation for a gratis screening, the Michigan Legislature passed a bill. Entire membership of State's both houses was given a special screening of 'Land of Liberty.'

Only way they could think of to show gratitude was by the House of Representatives passing HR 12, a bill they hurriedly drew up thanking the management of Butterfield Circuit for the free show.

Indict Krim Bros. for U. S. Amus. Tax Holdouts in 3 Nabes

Detroit, Feb. 25.

Proof that the Internal Revenue Bureau is prepared to take 'vigorous action' against theatres, night clubs, etc., which neglect to pay Federal amusement taxes promptly each month came with the indictment here Thursday (20) of Sol and Mac Krim and the Stramer Theatre Corp., operators of three large nabes. Two indictments, with the penalty of a $10,000 fine and a year imprisonment on each count, were returned against the Krim brothers charging violation of the Internal Revenue Law and the Federal Embezzlement Act. Each indictment carried eight counts, 16 in all.

John W. Babcock, chief assistant U. S. attorney, charged that the brothers withheld more than $3,300 in taxes from the Government from July to October last year. The theatres cited in the cover up on taxes were the Harmony, Park and Lasky.

'We have other places under investigation,' District Attorney John C. Lehr added, pointing out that the Government had sent out several warnings that it would be severe on collection of the battleship money and had taken the new case as a means of issuing still another caution. In all, the Krims face a maximum running up to 32 years and $160,000 in fines.

Abbott and Costello Go Naval After Army Film

Universal has changed its schedule on Bud Abbott and Lou Costello, comedy team whose 'Buck Privates' is now on release. Instead of the 'Ride 'Em Cowboy' production planned for them, the two will start work March 15 on 'They're in the Navy Now.' Switch is based on the click of 'Privates.'

'Ride 'Em' is to be set back and be made as the pair's fifth release. Third, titled 'Oh Charlie,' is nearing completion.

'Journey' Debuts Michele

Hollywood, Feb. 25.

Michele Morgan, RKO's Parisian star, makes her bow to American audiences 'Journey Into Fear.' She follows this with 'Joan of Paris,' originally intended as her debuter.

Other Story Buys

Republic bought 'Newspaper Men Are Human,' by Michael Fessier.

Herb Polesi purchased 'Quartette,' by Howard Chester, for independent production.

Joseph Schrank sold his yarn, 'Lazy Galahad,' to 20th-Fox.

Paramount acquired 'Cupid with Beard,' South American tale by Michael Uris.

Republic bought Martin Williams' aviation story, 'Hell on Wings.'

Lester Cohen sold his yarn, 'The Dam,' to Metro.

Paramount purchased 'The Lady Came to Stay,' by Oliver Sturm.

Republic acquired Robert Andrews' racehorse story, 'How to Die Young.'

Clarence Brown bought 'Air Raid,' by Col. Barry Williams.

'POT O' GOLD' ACT JAMS AKRON MGR.

Court Calls Him the 'Goat' —Niagara Falls Kayoes Bingo as Gambling

LEGALIZE IT IN N. Y.?

Akron, Feb. 25.

Horace Heidt's personal appearance 'Pot of Gold' show ran into belated publicity and court difficulties on the last day of his showing at the Palace. The Heidt show offered $100 to each person whose name was selected on the spinning wheel and who was in the audience for that particular performance. If not in the audience the person was given $5 if contacted by phone.

Akron vice squad officers arrested John Wagner, 22, assistant manager of the theatre, on charge of promoting a lottery on the final day of the showing. The theatre continued the drawing the rest of the day and the following day Wagner was fined $4.80 costs by Municipal Court Judge Owen Roderick.

'You are nothing more than the goat in this case,' the judge told Wagner. 'Tell the company officials that under the Ohio law, this thing was gambling and if it happens again or if they conduct a similar performance they will be treated the same as all other gamblers who are brought before me,' Roderick instructed Wagner.

Incidentally at no performance was the person whose name was drawn in the audience.

Niagara Falls' Ban

Buffalo, Feb. 25.

All bingo in the City of Niagara Falls is now closed upon receipt of an opinion from Niagara County district attorney Marsh that it's a gambling game and in violation of the law.

Bingo has been flourishing at the Falls at lodges, societies and in a number of theatres. It is reported that the Cataract Theatre Corp. (Par-Hayman), operating the Cataract, Strand and Bellevue, undertook to discontinue games and were instrumental in stirring up the city and county authorities to issue the ban.

Legalizing Proposals

Albany, Feb. 25.

Two proposals have been introduced by Assemblyman Max Turshen, Brooklyn, which are intended to legalize bingo games presented under religious and charitable offices.

Turshen also calls for an annual license fee of $100 and a tax of 5c on each 50c charge.

Frozen Coin

Continued from page 5

and New Zealand. However, American companies would much rather have the frozen coin inside the U. S. and available for future use, even at a discount, than to wait until later as the monetary value of currency is inclined to sink lower.

Thus, a company with 1,500,000 pounds frozen in Great Britain would rather have this amount transferred to American dollars even for $4,500,000 or $4,800,000 now than to wait until later when perhaps only $3,000,000 might be realizable on the sum.

Matter of getting coin out of countries having blocked currency is no novel affair for American film companies which have been dealing with such problems during the last five or six years in Italy and Germany. Only thing is that such huge amounts as tied up on the British Isles have not been involved in the past.

Philly Chilly on Policy of No. 1 Pix at 9 P.M.; Others Trying It Out

Philadelphia, Feb. 25.

Philly exhibs don't think much of the idea—tried by the RKO and Loew's theatres in New York—of playing the top feature of a dual bill first to allow those who want to skip the weakie to scram early. Most of them claim that the practice would force them to close their box-offices at 9 p.m., losing almost an hour's biz, which sometimes is the gravy hour of the evening.

There are no downtown houses playing double-features here. Duals are also rare in key nabes. Only houses on the twin-bill diet are nabes far down the line.

Samuel Milgram, official of Affiliated Theatres, Inc., one of the largest indie chains in this area said the RKO-Loew's experiment was 'screwy.'

'If we tried it here we'd be throwing away an extra hour's business at the boxoffice,' Milgram said. 'Under our practice of showing the heavy picture last we are able to keep the boxoffice open to 10 p.m. and the extra hour might mean the difference between profit and loss for the night.

'Officials of the Stanley-Warner circuit likewise were derisive of the idea.

'You're admitting to the public that one of your pictures is a turkey,' said a Warner spokesman. 'By setting a definite policy for the sequence of showing the pictures in a twin-bill you're educating the public to the fact that one picture is good and the other bad.'

The Warner official likewise pointed to the loss in b.o. biz by moving up the best picture. Warners shows duals in about a dozen of its 60 houses here.

9 P.M. Slotting Kills Late-Hour B.O. in Port.

Portland, Ore., Feb. 25.

A firm believer in the 'early' hour for No. 1 films is J. J. Parker, owner of Portland's Broadway and United Artists theatres. For some time past these two houses have run their A pictures at 8:30 or 9 p.m. and the b.o. has profited thereby, according to William McCurdy, manager of the Broadway.

On the other hand, Herbert Sabotka, manager of the Paramount (Hamrick-Evergreen), reports they tried the experiment of early showings of No. 1 pix about two years ago, and the trial was found wanting. Sabotka says that if the No. 1 film is put on at 9 p.m. the b.o. is completely dead precisely at 9 p.m., whereas at the present playing of late No. 1 pix (approximately 10:15) biz is still good up until about 9:45. From the standpoint of the person who wants to see only the A pic and get home early, manager Sabotka says 9 p.m. play would be agreeable, but from a theatre manager's point of view, it causes a substantial drop in b.o. returns. Sabotka believes the early showing of the No. 1 pic is okay for nabes, but in a city of Portland's size there are too many transients who will take advantage of a late show.

No. 1 Film's Showing No Problem in Cleve.

Cleveland, Feb. 25.

With all key and chain houses being single-runners, the problem of getting a 'better hour' for a No. 1 picture does not exist in downtown Cleveland. Nabe theatres owned by Loew's, RKO and Warners which get secondary runs first also are preponderantly single-feature stands.

Outlying dualers were forced years ago to start their bills earlier as a result of the ingrained go-to-bed-early habits of natives here. Eight out of 10 nabe spots, which shut their doors at 11:30 p.m. at latest, concede to the sleepy-heads by running off their No. 1 film at 8 or 8:30 p.m. and the No. 2's at 9:30 or 10 p.m.

A few dual houses in suburban business sections follow a policy of showing their top product at the later hour, but as a rule only on Saturdays. That's because Cleveland is still primarily a Saturday night show-town where majority of citizens own their own homes, eat dinner at 6 p.m. at latest and are in bed at 10:30 or 11 p.m. five nights a week. Even the niteries shut down at 2:30 a.m., often much earlier week-nights. Ho-hum!

Albany's Experiment

Albany, Feb. 25.

The Palace, Albany's largest theatre, has started an experiment with the so-called '9 o'clock plan,' successfully worked in a number of New York picture houses during recent weeks. Fabian circuit management will use it three nights weekly, Monday, Tuesday and Wednesday. Top feature is screened about 9 p.m., instead of 10 or later. Idea is designed to please patrons who wish to take their time in dining, see the main feature, skip the second film, and thus get home long before midnight.

Criticism of the very-early arrival or very-late departure necessary under usual operating schedule has been voiced in Albany as in other cities.

Milwaukee Wary

Milwaukee, Feb. 25.

Here as elsewhere the 9 O'clock Plan' is being given a trial, but somewhat warily. Fox Palace is the first house to try out the idea and giving it plenty exploitation, but will not carry the plan to any other theatres until time has proved it a profitable policy.

In operation here for only a week, execs assert it is too early to determine what results might be expected in the long run, although the first trial is regarded as satisfactory.

Keegan Succeeds Hyman in Detroit; Latter Into Par H.O.

Jack R. Keegan has been brought into United Detroit Theatres (Par) as successor to Eddie Hyman who moves into the Par home office March 1 as executive assistant to Leonard Goldenson and Sam Dembow, Jr., top operating theatre heads under Barney Balaban. Formerly in Milwaukee with Warner-Saxe in charge of film deals and as theatre supervisor, Keegan is now being broken into his new spot as operating associate to Earl J. Hudson by Hyman. He will also handle film buying as did Hyman. Latter was in New York last week to discuss the shift he is going to make.

Harry Royster, whom Hyman succeeds, has been made general manager of the Netco chain in upstate New York and shifts to Poughkeepsie Monday (3) to take up his new duties. Office headquarters, were opened there Saturday (1) and Harold Greenberg, who will act as Royster's chief aide and handle film buying, leaves tomorrow (Thurs.). He has been over booking-buying for Netco from the b.o. but previously had operated out of Poughkeepsie.

In addition to running the theatres in the Netco chain which are under direct control of Paramount, Royster will function as Par's contact with the Schine Bros., Si Fabian, RKO and Gene Levy in connection with pools under which these interests have operating jurisdiction.

Hyman's Background

Detroit, Feb. 25.

Edward L. Hyman came to Detroit a year ago after eight years as general manager for the Century Circuit operating 35 houses in Brooklyn and Long Island.

His first new chore will be an extensive survey throughout the country, visiting Paramount theatre affiliations, working on problems brought on by the new consent decree.

TOBACCO ROAD

20th Century-Fox release of Darryl F. Zanuck production. Directed by John Ford. Features Charley Grapewin, Marjorie Rambeau, Gene Tierney, William Tracy. Screenplay by Nunnally Johnson from the play by Jack Kirkland, based on Erskine Caldwell's novel. Musical direction by David Buttolph; camera, Arthur Miller; editor, Barbara McLean. World premiere at Roxy, N. Y., Feb. 20, '41. Running time, 91 MINS.

Jeeter	Charley Grapewin
Sister Bessie	Marjorie Rambeau
Ellie May	Gene Tierney
Dude Lester	William Tracy
Ada Lester	Elizabeth Patterson
Dr. Tim	Dana Andrews
Peabody	Slim Summerville
Lov	Ward Bond
George Payne	Grant Mitchell
Grandma	Zeffie Tilbury
Chief of Police	Russell Simpson
County Clerk	Spencer Charters
Teller	Irving Bacon
Auto Dealer	Harry Tyler
Mayor	Charles Halton
Clerk	George Chandler

That phenomenal theatrical perennial, 'Tobacco Road,' with its motley characters, its immoralisms, sloths and curiously humorous outlook on life, is on the screen at last. The record-breaking run of the play on Broadway (opened Dec. 4, 1933) and its apparently inexhaustible road audience (grossed $19,000 last week at its 'steenth return engagement in Pittsburgh) make the property appear to be a showmanship 'natural' for the more numerous and lower-priced film theatres. And yet, 'Tobacco Road' as a motion picture falls far short of its promises as a boxoffice riot.

Reasons are obvious and many. The sensational pulling elements of the play—the dialog and the low-life manners of its people—have been deleted, altered or attenuated to the point of dullness. What remains of the story is a back-in-the-hills comedy of shiftless folk. But what is chiefly lacking is a film-name starring cast, the total absence of which would still keep the picture from attaining widest popularity, even if the other shortcomings were not present.

There are the usual extenuating circumstances, of course. Provisions of the production code are rather explicit with regard to some of the conversation and action in Jack Kirkland's play from Erskine Caldwell's saga of poh white trash in the Ole South. Decision on the part of Darryl F. Zanuck to produce a picture of 'Road' could have been reached only after study of the script problems. In this he had able, although somewhat ineffectual, support from Nunnally Johnson and John Ford, who successfully handled the scripting and directing of 'Grapes of Wrath' a year ago.

Although both the Caldwell and the Steinbeck novels deal with the seamier side of the American social riddle, the formula by which the latter's work was transferred to the screen does not suit 'Tobacco Road.' The language of the Joads and their friends was expurgated and cleansed, but the action of the story was crystallized into thrilling melodrama. The same general approach to the disgusting, albeit human, household ruled by Jeeter Lester just doesn't jell. The slightest attempt to clean up Jeeter and his brood dooms the effort to failure. His personal uncouthness and mental inability to sustain a single constructive idea are indigenous to the fallow soil on which he survives but does not live. There's no Ma Joad in 'Tobacco Road' to stir and vitalize the fighting spirit of her men.

In the realignment of characters and plot, 'Tobacco Road' emerges with a trite comedy theme about the dubious efforts, chiefly larcenous, by which old Jeeter hopes, through act of Providence or dishonest opportunity, to raise $100 for the annual rent of the old farm. This wisp of story carries Jeeter to the village and introduces new characters in the play. There's the implication of a happy ending when Jeeter and Ada, his wife, get a six months' respite from the poor farm.

For all of its dehydration 'Tobacco Road' is told with a canny camera. Ford is more intent on story telling than in his recent productions, where background and atmosphere have played heavily and significantly in his pictures. Some footage in the earlier scenes of 'Road' given over to steps which led to the decadence of the cracker sections of the South would have framed the characters. But the hopelessness of their cause is shown in striking and original screen views. The deeply rutted and neglected highway, the trash that has accumulated on the Lester holdings, the lack of understanding of values in the manner in which Dude's automobile is brunted and dented are a few of the points which Ford emphasizes. And at the finish the touch is even more pronounced when the autumn leaves swirl through the open cabin door, and Ma Ada asks Jeeter when he is going to do all the big things he brags about, and he says, 'Maybe next week.'

Chief load of the acting falls on Charley Grapewin, whose Jeeter is a fine characterization within the revised limitations. If he speaks less profanely than his numerous stage prototypes, he speaks his lines clearly. He plays the old fellow for comedy and sympathy, revealing also a lazy shrewdness. Elizabeth Patterson is Ma Ada, and brings out the sullen hopelessness of the role. There is an excellent portrait of her towards the end of the picture which features her toil-worn hands that tell more than words of who worked at the Lesters, whenever work was done.

Other parts are capably played. Marjorie Rambeau is a somewhat less amorous Sister Bessie than in the play; Gene Tierney as Ellie May never quite gets her chance; William Tracy is much too hysterical as Dude, whereas Slim Summerville, Ward Bond and Grant Mitchell hold to the right key.

Art Miller's unusually fine photography contributes materially to the credit side of the production.

Filmgoers who have not seen 'Tobacco Road' are not likely to be too captious over the picture version. But Jeeter isn't one who can stand any polish. He's better entertainment—and boxoffice—with the rough edges. *Flin.*

Miniature Reviews

'Tobacco Road' (20th). With deletion of the rougher stage dialog and action, picture lacks zing of the play.

'Nice Girl?' (U). Deanna Durbin starrer, lacking story spontaneity, slightly below par set by her predecessors.

'Lady Eve' (Par). Fine comedy with Stanwyck-Fonda for top b.o. results.

'Andy Hardy's Private Secretary' (M-G). Solid entertainment for general appeal and good b.o.

'The Hard-Boiled Canary' (Par). Inconsequential drama with music, burdened by sophomoric script and direction.

'Lucky Devils' (U). Mediocre Richard Arlen-Andy Devine adventure pic.

'Six Lessons From Madame La Zonga' (U). Only for supporting feature on twin bill.

'In Old Colorado' (Par). Okay actionful western in the Hop-along Cassidy series.

'Rolling Home to Texas' (Mono). Better than average Tex Ritter western.

'Prairie Pioneers' (Rep). Moderately entertaining B westerner featuring the standard Three Mesquiteers.

'East of Piccadilly' (Pathe-British). Lower-grade B London murder mystery.

'It Happened To One Man' (RKO). Wilfred Lawson in British crime story 'B' production good only for minor returns.

'The Dream of Butterfly' (Italian). Sweetly-tragic operetta version of 'Mme. Butterfly'; agreeable, but overlong.

'Novios Para Las Muchachas' (Argentine). Amusing comedy slated for strong b.o. in its native Argentine.

'Napoleon' (Argentine). First-rate Spanish-language comedy.

NICE GIRL?

(WITH SONGS)

Hollywood, Feb. 22.

Universal release of Joe Pasternak production. Stars Deanna Durbin; features Franchot Tone, Walter Brennan, Robert Stack, Robert Benchley. Directed by William A. Seiter. Screenplay by Richard Connell and Gladys Lehman, based on play 'Nice Girl,' by Phyllis Duganne; camera, Joseph Valentine; editor, Bernard W. Burton; asst. director, Joseph A. McDonough; songs, Aldo Franchetti, Andres De Segurola, Jacques Press, Eddie Cherkose, Walter Jurmann, Bernie Grossman. Previewed in studio projection room Feb. 21, '41. Running time, 93 MINS.

Jane Dana	Deanna Durbin
Richard Calvert	Franchot Tone
Hector Titus	Walter Brennan
Don Webb	Robert Stack
Oliver Dana	Robert Benchley
Cora Foster	Helen Broderick
Nancy Dana	Ann Gillis
Sylvia Dana	Anne Gwynne
Martha Peasley	Elisabeth Risdon
Mary Peasley	Nana Bryant
Pinky Greene	George Billings
Ken Atkins	Tommy Kelly
Girl	Marcia Mae Jones

For the past four years, each succeeding Deanna Durbin picture has generated potent b.o. voltage, and the young star holds the envious position of maintaining a perfect batting average. 'Nice Girl?' is another Durbin offering to spin the wickets for profitable biz generally, although it does not quite hit the mark of plausibility in story structure and general spontaneity of most of its predecessors.

Producer Joe Pasternak indicates that he is having difficulty selecting story material for Miss Durbin during her debutante years in comparison to his piloting during her early 'teen-age period. 'Nice Girl?' has its story shortcomings, which, although they will be generally overlooked by audiences, are obviously apparent. The picture tugs and strains in many instances to get going smoothly, but it lacks the sparkle of most of the previous Durbins. Although Pasternak has been successful up to this point in carrying the star through experiences commensurate with her growing-up period, it might be well for the producer and studio to ponder holding her back for a stretch at the 18 age—with sub-deb adventures and innocent, youthful romances associated with it.

In proceeding to provide a touch of glamor and sophistication to Miss Durbin, the story gives her a first screen sip of champagne, and places her in the embarrassing situation of being alone in Franchot Tone's rooms for a few hours after she had generated the predicament herself through puppy admiration for the older man. For the audiences that accept Miss Durbin as sweet, unsophisticated and typical of American girlhood, it's a dangerous innovation that might affect biz of her future pictures.

Story is laid in a small town outside of New York. Robert Benchley, high school principal and dabbler in dietetic research, has family problems with three daughters—mischievous little Ann Gillis, stagestruck Anne Gwynne, and personable and quiet Miss Durbin. When Tone visits the home briefly, Miss Durbin contrives to have him miss a train so she can drive him back to the city. Bewildered by Tone's attitude in his home, where the pair are alone, the girl sneaks out to return to family safety at dawn—but not before the town tongues start wagging. She announces her synthetic engagement, gets into deep water when Tone suddenly returns, and goes through obviously contrived theatrics before everything straightens out.

Miss Durbin sings five numbers during the unreeling—four new tunes and Stephen Foster's 'Old Folks at Home.' Best for pop appeal is Walter Jurmann and Bernie Grossman's 'Thank You America,' a lilting marching song with strong patriotic flavor. 'Beneath the Lights of Home' is a sentimental number by Jurmann-Grossman; 'Love at Last,' credited to Jacques Press and Eddie Cherkose; and 'Perhaps,' by Aldo Franchetti and Andres de Segurola. Miss Durbin delivers the group with usual fine voice and personality.

Benchley provides dashes of comedy in his role as father of the household, and pulls a switcheroo surprise when called on to deliver a Fourth of July address and limits his discourse to about a dozen words. Ann Gillis and Anne Gwynne provide standard performances as the two sisters, and Robert Stack is adequate as the local boy friend who takes Deanna for granted. Tone as the target for Deanna's puppy adoration, is chiefly a straight man. Walter Brennan provides his usual competent portrayal, this time as the town postman with romantic inclinations for housekeeper Helen Broderick.

Direction by William Seiter is generally adequate, considering the story tension existing from time to time in the script. Production is of A rating in all technical departments. *Walt.*

THE LADY EVE

Hollywood, Feb. 25.

Paramount release of Paul Jones production. Stars Barbara Stanwyck, Henry Fonda; features Charles Coburn, Eugene Pallette. Directed by Preston Sturges. Screenplay by Sturges, based on story by Monckton Hoffe; ass't director, Mel Epstein; camera, Victor Milner. Previewed in studio projection room Feb. 24, '41. Running time, 90 MINS.

Lady Eve	Barbara Stanwyck
Charles	Henry Fonda
Lady Eve's Father	Charles Coburn
Mr. Pike	Eugene Pallette
Muggsy	William Demarest
Sir Alfred McGlennan Keith	Eric Blore
Mrs. Pike	Janet Beecher
Burrows	Robert Greig

Smart, light, frothy, gaysome and romantic 'The Lady Eve' is a strong boxoffice entry that will gather momentum through favorable audience comment. Third writer-director effort of Preston Sturges is laugh entertainment of top proportions with its combo of slick situations, spontaneous dialog and a few slapstick falls tossed in for good measure. Much lighter in general tone than Sturges' 'The Great McGinty,' picture will be an invigorating tonic for spring boxoffices.

Basically, story is the age-old tale of Eve snagging Adam, but dressed up with continually infectious fun and good humor. Stanwyck is girl-lure of trio of confidence operators. She's determined, quick-witted, resourceful and personable. Henry Fonda is a serious young millionaire, somewhat sappy, deadpan and slow-thinking, returning from a year's snake-hunting expedition up the Amazon. He's a cinch pushover for girl's advances on the boat—but pair fall in love, while girl flags Charles Coburn's attempts to coldeck the victim at cards.

After proposal and acceptance, Fonda discovers the girl is an adventuress and everything's off when they reach New York. A few months later Miss Stanwyck contrives scheme to snag her man by being accepted by his family at a reception as of English nobility. Sidestepping Fonda on instant recognition, with the excuse she was a discredited sister, Miss Stanwyck again campaigns for proposal, this time resulting in marriage. On wedding night train trip, she concocts tales of numerous love affairs, until the disillusioned Fonda jumps from train. Girl opposes pitch of Coburn to attempt big dough settlement, and when she discovers Fonda leaving for South America. Gets passage for happy reunion and general confession.

Sturges provides numerous sparkling situations in his direction and keeps picture moving at a merry pace. Miss Stanwyck is excellent in the comedienne portrayal, while Fonda carries his assignment in good fashion. Coburn is a finished actor as the con man; William Demarest hits several comedy spots as bodyguard-valet for Fonda; Eugene Pallette is the beer tycoon father, and Eric Blore provides a fine characterization as the phoney earl.

Sturges injects several new touches in the unreeling. Comedy animated cartoon background for main title decidedly novel; and the silent pantomimed montage passage bridging proposal to wedding is also new technique. *Walt.*

Andy Hardy's Private Secretary

(WITH SONGS)

Hollywood, Feb. 19.

Metro-Goldwyn-Mayer production and release. Features Lewis Stone, Mickey Rooney, Fay Holden, Ann Rutherford, Sara Haden, Ian Hunter, Kathryn Grayson. Directed by George B. Seitz. Screenplay by Jane Murfin and Harry Ruskin, based on story by Katherine Brush and characters created by Aurania Rouverol; camera, Lester White; editor, Elmo Veron. Previewed in studio projection room, Feb. 18, '41. Running time, 97 MINS.

Judge Hardy	Lewis Stone
Andy Hardy	Mickey Rooney
Mrs. Hardy	Fay Holden
Polly Benedict	Ann Rutherford
Aunt Milly	Sara Haden
Kathryn Land	Kathryn Grayson
Steven V. Land	Ian Hunter
Jimmy McMahon	Gene Reynolds
'Beezy'	George Breakston
Harry Land	Todd Karns
Mr. Benedict	Addison Richards
Clarabelle Lee	Margaret Early
Susan Wiles	Bertha Priestley
Peter Dugan	Joseph Crehan
Barnes	Leo Phelps
Mr. Davis	John Dilson

Andy Hardy goes through numerous and hectic experiences before he graduates from high school, and incidentally provides solid audience entertainment before he is handed a diploma in this latest Hardy opus. 'Andy Hardy's Private Secretary' is a topnotch entry in the series, and will carry through the regular runs for profitable biz.

Andy gets himself in the usual adolescent jams, both trivial and serious, to provide necessary story background. In assuming personal charge of commencement exercises and class preparations, he fails to pass a final English exam to inject dramatic suspense momentarily. But a retake on the exam shoots him through with flying colors, and everybody's happy at the finish.

The final and complete junking of Andy's streamlined jalopy roadster in favor of a new model runabout with push button toplifter might prove disconcerting to many youths who have avidly followed young Hardy's auto experiences in previous pictures. But Andy's blossoming forth with a new car will also give the kids plenty to worry about.

Story follows the formula closely for the series. Kindly, understanding Judge Hardy attempts to help the father of Andy's classmates get a job in the U. S. service. Even the drafting of Kathryn Grayson as his special private secretary to assist with the school details does not prevent Andy from flunking his important English test. Facing disgrace, Andy gets another crack at the exam and passes. In between there's the regulation procedure of Andy's detour along the highway of adolescent love, and development of jealousy by girl friend Ann Rutherford.

Picture showcases performances of two film newcomers, Kathryn Grayson and Todd Karns. Latter is the son of film actor Roscoe Karns, and shows ability for development as a topnotch juvenile lead. Miss Grayson, scouted by Metro some time back and put under intensive dramatic and vocal coaching in the interim, is a youngster of 18 apparently being groomed by the studio to compete with Universal's Deanna Durbin. Miss Grayson displays a youthful and trained voice in her song numbers, but, more important, carries her acting assignment with assurance and ability. Looks like Metro has a name nugget in Miss Grayson.

George B. Seitz, who has piloted most of the Hardys, handles direction here in a capable manner. Picture is somewhat overlong, with several extraneous sequences whose elimination would tighten things considerably, but the extra footage is a minor factor generally in a Hardy picture. *Walt.*

Hard-Boiled Canary

(WITH SONGS)

Hollywood, Feb. 20.

Paramount release of Andrew L. Stone production, directed by Stone. Features Allan Jones, Susanna Foster, Margaret Lindsay, Lynne Overman. Screenplay by Frederick Jackson, from story by Andrew L. Stone and Robert Lively, based on idea by Ann Ronell; camera, Theodor Sparkuhl; editor, James Smith; Asst. director, Holly Morse; musical supervisor, Phil Boutelje; operatic wrangle devised by Edwin Lester. Previewed in studio projection room Feb. 19, '41. Running time, 80 MINS.

Michael Maddy	Allan Jones
Toodles LaVerne	Susanna Foster
Sylvia Worth	Margaret Lindsay
George Thomas	Lynne Overman
Maidie Duvalle	Grace Bradley
Dr. Joseph E. Maddy	William Collier, Sr.
Heimo Haitto	Heimo Haitto
Kaye Connor	Kaye Connor
William Chapman	William Chapman
Dolly Loehr	Dolly Loehr
Patricia Travers	Patricia Travers
Richard Bonelli	Richard Bonelli
Richard Hageman	Richard Hageman
Irra Petina	Irra Petina
Tandy MacKenzie	Tandy MacKenzie
Miss Wilson	Fay Helm
Miss Clark	Esther Dale
Deems Taylor	Deems Taylor

Addicts of the better type of music in the classical range will give this one a moderate play, but will also have to sit through the tedious, mediocre story that is used as an excuse on which to hang the musical display by a group of youngsters. For regular picture audiences, picture is too sophomoric in both script and direction to catch or hold attention. It's a minor B for filler dates in the duals.

Story idea provided by Ann Ronell, and based on the Interlochen Camp conducted for musically-talented youngsters, provides a perfect background for parading the instrumental and vocal attributes of the juveniles. But the story whipped up in this instance is something else again, and discounts in its amateurish narrative the fine program of musical numbers spotted throughout.

Despite the drawbacks of material in the script, little Susanna Foster holds some audience interest with her renditions of several standard classics and slick impersonations of Marlene Dietrich, Bonnie Baker and Judy Canova. She gives a generally good performance throughout. Allan Jones carries through with more acting chores than singing, and is subordinated in both departments by Miss Foster. Patricia Carver, who looks about 10, is the only other member of the cast who successfully overcomes the inadequate direction. Youngster catches several chuckles with her general sourpuss attitude. Heimo Haitto, Finnish prodigy of the violin, scores effectively on the musical side.

Story picks up Miss Foster as singer of operatic numbers in a burlesque house. Saved in a police raid by Allan Jones and press agent Lynn Overman, pair decide to ship her off to the summer music school in the mountains. Girl balks at the restrictions imposed under camp regulations, but slowly weakens to become an enthusiastic supporter. Her former burlesque partner shows up to disclose planting of a newspaper yarn which blasts the camp and nearly wrecks financial support. Then Miss Foster saves the day by appearing in the special show at the city opera house that, for some reason or other, not demonstrated on the screen, is received with acclaim.

Musical range covers vocal, symphonic, violin solos and choral numbers from Tovani's 'Rienzi Overture' to a hodgepodge of 'Carmen' and 'Faust.' There are a few pop tunes briefly inserted in Miss Foster's impersonation sequence. Musical renditions of the various solos and ensembles by the youngsters are of high quality, but few of the numbers are staged for best audience effect. *Walt.*

LUCKY DEVILS

Universal release of Ben Pivar production. Stars Richard Arlen and Andy Devine; features Dorothy Lovett, Janet Shaw, Tim Ryan, Arnold, Ralf Harolde, Richard Terry. Directed by Lew Landers. Screenplay, Alex Gottlieb, from original by Sam Robins; camera, Charles Van Enger; music, H. J. Salter. Reviewed at Strand, Brooklyn, Feb. 21, '41; dual. Running time, 66 MINS.

Dick	Richard Arlen
Andy	Andy Devine
Norma	Dorothy Lovett
Gwendy	Janet Shaw
Bradford	Jack Arnold
Grimshaw	Gus Schilling
Ritter	Ralf Harolde
Berke	Richard Terry
Momsen	Tim Ryan
Exposition Guar	James Morton
Secretary	Gladys Blake
Chandler	William Forrest
Mopey	Robert Winkler

The escapades of Richard Arlen and Andy Devine are continued in 'Lucky Devils,' in which the duo play the parts of newsreel reporters in what has become, by now, a standard manner for them. 'Lucky Devils' is one of their lesser efforts in the Universal series. It's a B filler.

Major fault lies in the story, which follows the beaten track, and the little-varied dialog tossed off by Arlen as the devil-may-care reeler seemingly forever in the midst of a scoop. Devine is his comedic sidekick. General production attributes are there, however, with Lew Landers' direction being as good as could be expected under the circumstances.

Dovetailed in the story is dual romance that involves Arlen with Dorothy Lovett and Devine with Janet Shaw, the heart interest of the first-named pair being particularly linked to the yarn's climactic situation, the conflict with foreign saboteurs.

Cast does well enough with the trite situations, though it's difficult adult entertainment. *Naka.*

Six Lessons From Madame La Zonga

(WITH SONGS)

Universal production and release. Stars Lupe Velez, Leon Errol; features Helen Parrish, Eddie Quillan, Charles Lang, William Frawley. Directed by John Rawlings. Screenplay by Stanley C. Rubin, Marion Orth, Larry Rhine, Ben Chapman from story by Rhine and Chapman; songs, Charles Newman and James V. Monaco, Milton Rosen and Everett Carter; editor, Edward Curtiss; music director, Charles Previn; camera, John W. Boyle. At Palace, N. Y., week Feb. 18, '41, dualed. Running time, 62 MINS.

Madame La Zonga	Lupe Velez
Senor Alvarez	Leon Errol
Rosita	Helen Parrish
Steve	Charles Lang
Beheegan	William Frawley
Skat	Eddie Quillan
Alvin	'Big Boy' Williams
Gabby	Shemp Howard
Maxwell	Frank Mitchell

This is a badly flung-together picture which survives heavy story

(Continued on page 18)

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Six Lessons From Madame La Zonga

(Continued from page 16)

difficulties only because of Lupe Velez's performance and several in the supporting cast. It packs plenty of laughs, and as a comedy vehicle will serve to bolster a serious No. 1 drama, such as done neatly here with 'Kitty Foyle.' Film is too brief and innocuous to stand up solo, and fits only as support in the secondary spot of a twinner. 'Six Lessons from Madame La Zonga' is another in the group from this studio which uses a popular tune as a tag and excuse for the ensuing results.

Production never pretends to be anything more than a secondary vehicle. As such it succeeds, particularly with the comedy. Plot is the time-worn fable of destitute Latin-Americans who finally put over a Havana nitery, La Zonga. Several sequences are reminiscent of the Keystone cops era, but good for laughs. A couple of near-blue episodes patently have been tempered by the Hays boys, with one double-meaning gag left in because it is cleverly hidden. Some of Miss Velez's rhumba scenes have also been deftly clipped.

Picture is all Lupe Velez. She is in great fettle as Madame La Zonga. Leon Errol, cast as a phoney South American, is adequate, while Helen Parrish, playing the romantic interest, indicates future possibility. Charles Lang is a stilted hero, leader of the Oklahoma jazz band, trying to land a Cuban cafe date. Eddie Quillan, cast as his pal, grabs several of the top laughs in the film, although handed a subordinate role. 'Big Boy' Williams, William Frawley and Shemp Howard head the support.

Music window-dressing also proves a real life-saver in several draggy spots, with 'Six Lessons,' by James V. Monaco and Charles Newman, and 'Mister Moon' and 'Jitterhumba,' by Milton Rosen and Everett Carter, outstanding. John Rawlins' direction is as good as could be expected, considering the story, while cameraman John W. Boyle is up to par.

Wear.

IN OLD COLORADO

Hollywood, Feb. 19.

Paramount release of Harry Sherman production; associate producer, Joseph W. Engel. Stars William Boyd; features Russell Hayden and Andy Clyde. Directed by Howard Bretherton. Screenplay by Norton S. Parker and J. Benton Cheney, based on characters created by Clarence E. Mulford; camera, Russell Harlan editor, Carroll Lewis; Asst. director, Derwin Abrahams. Previewed in studio projection room, Feb. 18, '41. Running time, 67 MINS.

Hopalong Cassidy....William Boyd
Lucky Jenkins....Russell Hayden
California....Andy Clyde
Myra Woods....Margaret Hayes
Joe Weller....Morris Ankrum
Ma Woods....Sarah Padden
Nosey Haskins....Cliff Nazarro
George Davidson....Stanley Andrews
Hank Merritt....James Seay
Jack Collins....Morgan Wallace
Blackie Reed....Weldon Heyburn
Jim Stark....Eddy Waller

There's plenty of gunplay, hard riding and other familiar ingredients for the action audiences in this latest entry in the Hopalong Cassidy series. 'In Old Colorado' will hit the groove neatly in houses where the Hop alongs have a following.

Story of battle between two ranchers over cattle-watering privileges is given slightly new twist from regular formula with injection of third parties—a bandit gang in the familiar mountain hideout that expects to spark the feud and then step in and grab the lands of the contestants. Hopalong and his buddies arrive to thwart the scheme after plenty of chases, pitched battles and usual western dramatics.

Picture carries added value of unusual photographic backgrounds that lift it considerably in production value. Direction by Howard Bretherton steers a straight line to his main objective, another display of Hopalong's prowess as a Robin Hood of the west.

William Boyd, Russell Hayden and Andy Clyde are in their familiar roles as the cowboy trio. Cliff Nazarro provides several brief stretches of jumbled talk as the camp cook. Support includes Margaret Hayes, Morris Ankrum, Sarah Padden and Stanley Andrews.

Walt.

Wildcat of Tucson

Columbia production and release. Stars Bill Elliott; features Evelyn Young, Stanley Brown. Directed by Lambert Hillyer; original screenplay, Fred Myton; camera, George Meehan; editor, Charles Nelson. Reviewed Colonial, Lincoln Neb., dual. Running time: 59 MINS.

Hickok....Bill Elliott
Vivian....Evelyn Young
Dave....Stanley Brown
C[illegible]ball....Dub Taylor
M[illegible]e....Kenneth MacDonald
Jud[illegible]e....Ben Taggart
Seth....Edmund Cobb
Marshall....George Lloyd
Logan....Sammy Stein

The lackadaisical honors among action heros in films, if such classification is an honor, belong to Bill Elliott, who fronts for Col's Wild Bill Hickok series. What fire there is in this film has to come from somewhere else. Eliott knows he can beat 'em all to the draw, and plays his parts that way. And that isn't b.o.

Here he has a brother, a hothead (Stanley Brown), who decides to swing free of his brother's rep and barges into a ring of legal claim jumpers, which gets him over his head. Hearing of this, Elliott, guns strapped down, comes in to find out what's going on. His arrival on the premises is the signal for the story to bog, because everybody elects to play a sitdown game. Traditional of Hickok's adventures is the showdown scene in which Elliott walks singlehanded to meet Kenneth MacDonald, the ringleader, to decide who's the best on the draw.

Print of this flick is a bit cloudy, and the lighting definitely catch-as-catch can.

After Elliott, among the top casters are Stanley Brown, who is inclined to overact; Evelyn Young, the girl of the piece; Dub Taylor, who makes laughs by having trouble with his mounting caused by a breakaway saddle; Kenneth MacDonald, the suave villain; and Ben Taggart, whose past keeps him from being a conscientious judge.

Art.

Rollin' Home to Texas

(WITH SONGS)

Monogram release of Ed Finney production. Stars Tex Ritter, features Cal Shrum, Slim Andrews, Eddie Dean and Virginia Carpenter. Directed by Al Herman. Original screenplay, Robert Emmett; camera, Marcel LePicard; editor, Fred Bain. Reviewed at Colonial, Lincoln, Neb., dual. Running time, 60 MINS.

Tex....Tex Ritter
Cal....Cal Shrum
Slim....Slim Andrews
Sheriff....Eddie Dean
Mary....Virginia Carpenter
Red....I. Stanford Jolley
Lockwood....Harry Harvey
and
Cal Shrum's Rhythm Rangers

Plentiful tuned, 'Rollin Home to Texas' is one of the better Ritter westerns.

Ritter sings several times, and the Cal Shrum Rhythm Rangers have a portion besides. None of the music is very good, but it's passable for the kind of traffic the film will attract.

Rapidly coming to the front in these sagebrushers is Slim Andrews, the former tent rep performer, who has transplanted all the musical gadgetry he used under canvas to camera. In 'Rolling Home,' he turns in fairly comical gab, a few laughs by his antics, and is the only standout on the music side with his tomfoolery.

The story is about an organized gang operating at the expense of a prison honor system. The mob talks various cons off the reservation, gets 'em to walk into a bank for a stickup, then a member of the mob sneaks up behind for the plug, collecting the bank robbery rewards. Ritter, as an U. S. marshal, goes in to investigate, which sprouts into most of the action.

Usual western weakness in selection of girls for the leads got a temporary setback here, because Virginia Carpenter (late of Lud Gluskin's orch) exhibits more than the normal personality for such castings. She doesn't do much, but looks good, and is at ease under lens scrutiny. Ritter is at his par.

Cal Shrum, a Denver radio station product, plays mostly home-made music, Pappy Hoak and Hal Blair doing several of the songs on paper, before they participated in their being played on the screen.

Those houses which have been been getting by fairly well with Ritter can expect to keep even, or do better on this one.

Art.

Outlaws of Rio Grande

Producers Releasing Corp. release of Sigmund Neufeld production. Stars Tim McCoy. Directed by Peter Stewart. Original by George H. Plympton; camera, Jack Greenhalgh. Previewed in Projection Room, N. Y., Feb. 20, '41. Running time, 53 MINS.

Tim....Tim McCoy
Rita....Virginia Carpenter
Trigger....Charles King
Monty....Ralph Peters
Marlow....Karl Hackett
Luke....Rex Lease
Pan....Phillips Turich
Bret....Ken Duncan
Alva....Thornton Edwards
Castro....Joe Dominquez

Strictly a horse-and-trigger merry-go-round maintaining a pretty swift pace except for a few odd moments where the horses must presumably be given a rest. Should fill the bill nicely.

Tim McCoy, as the heroic marshal, handles assignment convincingly despite embarrassing situations conceived by author. McCoy, built up by word of mouth as smart and fearless sleuth, is tricked, captured and almost bumped off by gang before he is permitted to emerge as conquering hero.

Story concerns gang of counterfeiters who have kidnaped a highly-skilled Mexican engraver whom they force to do their bidding. Engraver's daughter, obliged to follow the gang's dictates blindly in order to preserve father's life, is used to trick McCoy. Mysterious voice from an invisible Mexican gives advice that saves marshal's life.

Action is for the most part fast. Plenty of gunplay and a couple of corking fist fights.

Mori.

SPEEDING UP ERROL

Hollywood, Feb. 25.

Leon Errol's next short at RKO is 'Hurry, Charlie, Hurry,' which is being hurried to precede 'Lord Epping In Scotland.'

Lee Bonnell gets the romantic role.

PRAIRIE PIONEERS

Republic release of Louis Gray production. Features Three Mesquiteers (Robert Livingston, Bob Steele, Rufe Davis). Directed by Lester Orlebeck. Screenplay, Barry Shipman, from original idea by Karl Brown; based on characters created by William Colt MacDonald; camera, Ernest Miller; editor, Ray Snyder; musical score, Cy Feuer. Previewed in Projection Room, Feb. 20, '41. Running time: 58 MINS.

Stony Brooke....Robert Livingston
Tucson Smith....Bob Steele
Lullaby Joslin....Rufe Davis
Dolores Ortega....Esther Estrella
Roberto Ortega....Robert Kellard
Don Miguel....Guy D'Ennery
Carlos Mo[illegible]....Davison Clark
Wade....Jack Ingram
Fields....Ken MacDonald
Nelson....Lee Shumway
Martha Nelson....Mary MacLaren
Morris....Yakima Canutt
Al....Jack Kirk

Another in Republic's Three Mesquiteer series, 'Prairie Pioneers' is a moderately entertaining B western destined to reap standard returns on the lower half of provincial duals.

The Mesquiteers, played by Robert Livingston, Bob Steele and Rufe Davis, this time are involved in clearing a young caballero from a framed murder rap and extricating his family from a crooked deal that would have them selling their ranchero under shady circumstances.

Director Lester Orlebeck has paced the film well and the cast supporting the featured trio is of standard variety, including Esther Estrella, who, along with Livingston, are the vaguely suggested romance angle; Robert Kellard, Guy D'Ennery, Davison Clark and Ken MacDonald. Livingston, Steele and Davis handle their parts acceptably, with Davis, as usual, supplying the comedy.

Naka.

EAST OF PICCADILLY

(BRITISH-MADE)

London, Jan. 24.

Pathe Pictures production and release. Features Judy Campbell, Sebastian Shaw, Niall McGinnis, Henry Edwards. Directed by Harold Huth. Screenplay, J. Lee Thompson and Lesley Storm from story by Gordon Beckles; camera, Claude Friese-Greene. At Cambridge, London. Running time, 75 MINS.

Penny Sutton....Judy Campbell
Tamsie Green....Sebastian Shaw
Joe....Niall McGinnis
Inspector....Henry Edwards
Oscar Kuloff....George Pughe
Ma....Martita Hunt
Mark Struberg....George Hayes
George....Cameron Hall
Sadie Jones....Edana Romney
Tania....Bunty Payne
Editor....Charles Victor
Ginger Harris....Frederick Piper

At odd and frequent intervals throughout this sketchy thriller the principals swallow enough liquor to float a barge; yet it's insufficient to keep afloat whatever may have been the idea of the producers. On a Gordon Beckles crime yarn has been hung some poor screenwriting; few of the players are able to get anywhere with it and dated direction of Harold Huth aids little in the unfolding. It's a lower-grade B.

Murder yarn is concerned with London's Soho quarter, plus a silken-hose strangler of wayward femmes. Girl crime reporter pins the business on a visiting American millionaire and fixes him a date with the gallows. Audiences will likely have spotted the guilty killer long before the actual denouement, but can get some laughs out of antics of George Hayes, as a screwball Shakespearean ham. Piece fortunately has a deal of hokum to help fill in. Attempts at light banter are painful.

Judy Campbell struggles gamely, but futilely, with the newsgirl role, pulling all kinds of tricks to make it stick. George Pughe is satisfactory as the American, Kuloff, with Henry Edwards, from old-line legit, doing as well as can be expected by the Scotland Yarder. In an opening bit as the strangled floozie, Edna Romney turns in some catchy acting.

It Happened to One Man

(BRITISH-MADE)

RKO release of Victor Hanbury production. Stars Wilfrid Lawson, Nora Swinburne; features Marta LeBarr, Ivan Brandt. Directed by Paul L. Stein. Adapted from play by John Hastings Turner and Rolond Pertwee; screenplay, Paul Merzbach, Nina Jarcis. At Little Carnegie Playhouse, N. Y., week Feb. 22, '41. Running time, 81 MINS.

Felton Quair....Wilfrid Lawson
Alice....Nora Swinburne
Yvonne....Marta Labarr
Leonard Drayton....Ivan Brandt
Ackroyd....Reginald Tate
Jack Quair....Brian Worth
Admiral Drayton....Edmond Breon
Betty Quair....Patricia Roc
Lord Kenley....Athole Stewart
Ronnie....Thorley Walters
Lady Rapscombe....Ruth Maitland
Sir Francis Hay....Ian Fleming

This is a good B production for England but extremely limited for U. S. houses despite several excellent bits of acting, including Wilfrid Lawson's top performance. Apart from unknown cast values, the story content is not calculated to arouse much interest in this country. Picture's length is another deterrent. Production is best suited for arty sure-seaters, such as this house, where it should enjoy fair trade.

Ordinarily British producers have an aptitude for melodrama but in 'It Happened to One Man' the scripters and director never quite make up their minds whether to pound home the domestic-family life angle or the sheer adventure. Thus, in the earlier passages, the even tenor of the British business man's life is suddenly blasted by highly melodramatic developments, with the financier shuttled off to a five-year prison term. Then it reverts to the quiet home-life and desire of the paroled wrongdoer to return to his family. From this the plot gallops to Mexico and the hideout of his former business partner and mistress. Guns flare again but only momentarily, and then the pace reverts back to the more subdued mood of the British financier, off on a new promotional stunt. The flighty mood of the film even is typified by the fadeout, which finds the bitter wife now forgiving but the financier's future as well as that of his mistress and son hanging in midair.

Lawson, best known for his work in 'Long Voyage Home' and 'Pastor Hall,' is the epitome of the British financier, who becomes tangled in a public utilities scandal, mainly through the double-cross of his partner. Marta Labarr, native American best recalled for appearance in N. Y. legit a number of years ago, is superb as the conspiring mistress, even surmounting the capable performance of Nora Swinburne, as the lack-lustre wife. Edmond Breon, as the retired admiral, is excellent in a supporting character. Ruth Maitland, Ian Fleming, Reginald Tate and Brian Worth are satisfactory in the support, but Thorley Walters, Patricia Roc and Ivan Brandt contribute slipshod work.

Wear.

International Forum

(SHORT SUBJECT)

Columbia release of William Rowland production, directed by Rowland. Features Dorothy Thompson, Wythe Williams, William L. Shirer, Linton Wells. Supervising editor, Burnet Hershey. Reviewed in Projection Room, N. Y., Feb. 20, '41. Running time, 18 MINS.

This is the first of a series of celluloidized short subject discussions of international events by name writers and commentators. It's produced by William Rowland for Columbia release. It is only mildly interesting, unimaginatively directed and holds out no great hope of being very successful as an exciting contribution by the film industry to the current enthusiasm of the layman for knowledge of world affairs. The idea sounds considerably better than the realization, for apparently unavoidable reasons.

Rowland calls his series 'International Forum,' modeling it after such established radio shows as the University of Chicago Round Table. Fact is, it is subtitled 'Round Table of the Screen. He has obtained four distinguished names to lead off with, Dorothy Thompson, Wythe Williams, William Shirer and Linton Wells, and hopes to repeat with equally well knowns.

No. 1 difficulty in the short is that no one says anything very startling. All of it has been said and written any number of times before. No. 2 is the difficulty with timeliness in a world where every 24 hours sees a new crisis and a major change. The quartet of discussers has neatly sidestepped saying anything that might be dated by events by the time the short is released—which is one of the reasons why there's so little real interest. In the matter of the Balkans they apparently anticipated events, but that's not a tactic that always can be depended upon. It must be remembered that in radio forums happenings up to a minute before air time can be discussed, while in the films the subject may be two, three or more weeks old.

Aside from troubles with subject-matter, Rowland appears to have had difficulty in deciding what to do with his people. He obviously doesn't just want to group them around a table and let them chatter away, so he has them get up, walk awkwardly across the room, sit on the arms of chairs and sometimes just stand. Audience becomes conscious of this effort to get away from straight camera shots, and the motions become a liability to the film instead of an asset.

Good but not sufficient use is made of maps and newsreel shots of events about which the commentators are speaking. Skillful editing of more such extranities into the talk might accomplish what toddling across the floor does not.

Film starts with a commentator introducing the people and finales with each participant in a closeup giving a short prophecy of things to come. Williams more or less acts as interlocutor for the other three throughout the reel.

Herb.

Il Sogno di Butterfly

('The Dream of Butterfly')
(ITALIAN-MADE)
(With Songs)

Esperia release of Grandi Film Storici production. Directed by Carmine Gallone; with score from compositions by Puccini, Chopin, Donizetti, Grieg, Liszt, Schubert, Straus; musical adaptation and direction, Luigi Ricci; English titles by Armando Macaluso. At Cine Roma, N. Y., Feb. 12, '41 (dual). Running time, 96 MINS.

Rosa Belloni....Maria Cebotari
Harry Peters....Fosco Giachetti
Mary Peterson....Germania Paolieri
Anna Banieri....Lucy Englisch
Riccardo Belli....Luigi Almirante
Little Harry....Gioacchino

(In Italian; with English Titles)

Italians or emotional addicts of the arties will probably shed a few satisfying tears over this tender operetta version of the 'Madame Butterfly' story. It's overlong, but generally a moving and dignified edition of the sweetly tragic tale. It will clean up in communities having sizable Italian populations, but other business will be spotty.

Action of the yarn is shifted from Japan to Italy, with the gentle heroine a young opera soprano. Her lover, a pianist-conductor, has an offer from the U. S., so rather than interfere with his career, she fails to tell him she is to have a baby. Years later, when she is singing the lead in the preem of 'Butterfly,' he returns, with his American wife and daughter, as the representative of the Metropolitan Opera, to attend the performance. Fully 20 minutes is then taken up with her singing of the stage-real life tragedy.

Musically, the picture is agreeable on the strength of the score, which is adapted from the works of a handful of composer greats. And although the recording is technically imperfect, Maria Cebotari sings well and looks attractive enough. Lucy Englisch handles a comedy-emotional role expertly, and Luigi Almirante gets laughs as her swain. But the film could be cut considerably.

Hobe.

Novios Para Las Muchachas

(ARGENTINE-MADE)

Buenos Aires, Feb. 19.

EFA production and release. Features Tito Lusiardo, Amelia Bence, Felisa Mary, Pablo Palitos, Adrian Cuneo, Nelida Bilbao, Paquita Vehil and Silvana Roth. Directed by Antonio Momplet. Screenplay, René Garzon, adapted from stage play, 'Las de Cain' ('Things of Cain'), by the Quinterno Bros.; music, Jean Gilbert. Presented at the Monumental, Buenos Aires.

An amusing comedy, well handled, 'Novios Para Las Muchachas' ('Sweethearts for the Girls') is an unpretentious job that because of its very lack of tricks has drawn excellent notices and strong b.o. Likely to get a good play in most of Latin America because the story is not too localized and the humor not so Argentine as to be unintelligible for the rest of South America.

Pic is an adaptation by Rene Garzon of the well-known stage play by the Quinterno brothers, 'Las de Cain' ('Things of Cain'). In making it over Garzon and Director Antonio Momplet have added new episodes to add variety and step up the movement. Episodes have been well drawn and the whole thing holds together. Plenty of comedy both in situation and dialog and chief fault is a climax that's overlengthy. Practice locally of not having sneak previews prevents cutting after opener. Plot gyrates around marriage difficulties of a widow with four daughters. Only one with a steady boyfriend is the eldest, but there's no hurry to get her hitched as she's the only support of the household.

When she refuses to marry until her sisters are out of the way, the hero sets off on a high-pressure husband-hunting campaign. He does the trick by getting an evasive suitor into a compromising situation, convinces a neurotic that he needs a wife to care for him and rescues a third husband from a tangle with the police.

Momplet directed with assurance. Tito Lusiardo steals the pic and among the women, Silvana Roth, cute eyeful, is outstanding although her part is not the most important. Other featured players who do efficient jobs are Raimundo Pastore, Adrian Cueno and Falisa Mary. One fact not stressed is that the musical background is by famed European composer Jean Gilbert, author of 'Die Keusche Susanne' ('Chaste Susan'), whose operettas were as successful as those of Franz Lehar, Leo Fall, etc., in pre-war Europe. Photography and sound are good.

Ray.

NAPOLEON

(ARGENTINE-MADE)

Buenos Aires, Feb. 19.

Argentina Sono Film production and release. Stars Pepe Arias; features Elena Lucena, Alita Roman. Rest of cast: Miguel Gomez Bao, Victoria Cuenca, Francisco Amor, Rafael Frontaura, Vicente Forastieri, Olimpio Bovio, Haydee Larroca, Esther Vani, Iris Portillo, Luisa de G. Leon, Margarita Corbani and Edna Norrell; story, Antonio Botta and Antonio Momplet; directed by Luis Cesar Amadori; presented at the Monumental theatre, Buenos Aires.

'Napoleon,' a first-rate comedy that opened simultaneously here and in Havana, is likely to be a big money-maker throughout Latin America. It will also have a strong appeal for Spanish-speaking audiences in the States.

Pattern of story and background of cabaret and theatrical boarding house life, while not very original for U. S. films, are new and novel here. It's handled interestingly. Local critics, while occasionally sniping at some of the dramatic scenes, were unanimous in handing out bouquets, especially to Pepe Arias, one of the leading Argentine stage comics, and Director Luis Cesar Amadori.

Story is about a head waiter in a cabaret who, by his methodical savings, manages to buy the boarding house where he's lived for 20 years. Taxi-dancers from the nitery live in the spot. Personality of each is built up in a kind of 'stage door' manner; one wants to own a dress shop, another to go back to Budapest, third with literary aspirations, and others who fear boyfriends will discover real identity, etc. During

(Continued on page 20)

EXCLUSIVE! ART MENKEN

PARAMOUNT NEWSREEL SCOOPED THE WORLD WITH THESE EXCLUSIVE NEWS

IS FLYING TO SINGAPORE...THE

RELEASES FIRST ACTUAL GREEK WAR FILMS EXCLUSIVE! .FIRST

HOTTEST SPOT ON EARTH...TO COVER

ACTUAL PICTURES BRITISH INSIDE LIBYA...EXCLUSIVE!...FIRST TIME

THE WAR FRONT FOR PARAMOUNT...

SHOWN! PORTO RICO SEA, LAND AND AIR ACTIVITIES..EXCLUSIVE!

THE EXCLUSIVE NEWSREEL!...YOUR

CIVILIAN AIRCRAFT SPOTTERS AID NATIONAL DEFENSE...EXCLUSIVE!..

PUBLIC WANTS THE LATEST WAR

THE WINDSORS IN BAHAMAS...EXCLUSIVE!..UNITED STATES ON WATCH

NEWS...AND THEY SEE IT FIRST

AGAINST SUBVERSIVE PROPAGANDA..EXCLUSIVE!...SANTO DOMINGO

IN PARAMOUNT...THE EXCLUSIVE

PRESENTS POSSIBLE WAR REFUGEE SOLUTION AT SOSUA .EXCLUSIVE!

NEWSREEL!...MAKING HISTORY

SMILING IT OVER FIRST YEAR-END REVIEW IN CARTOON STYLE ..EXCLUSIVE!

TWICE A WEEK!

Paramount Pictures

Paramount Pictures

H'wood Labor Showdown

Continued from page 1

various studio locals for several weeks, but it all adds up to mere conversation. Executives admit that no contracts will be inked until Browne and the International come out in the open and state their position.

Producers take the position that current agreements were negotiated with the International, and that any changes or revisions would have to carry an okay from the Chicago bosses. So far, Browne has even failed to answer any inquiries from the locals as to whether they will be permitted to negotiate new conditions. Several locals have asked the International to take over their negotiations, while others apparently are determined to go it alone for fear of losing local autonomy if the International steps in. In the meantime, Pat Casey, Producer labor contact, is listening to the local leaders, but keeping an eye turned toward the east to see what moves Browne and his IATSE group plan.

To Rally Other Locals

Harold V. Smith, business representative of Sound Technicians Local 695, tried to rally the other locals in order to make a concerted drive, but this move failed when the Producers insisted on separate negotiations with the individual unions. Herbert Aller, business representative of International Photographers Local 695, and other union heads pulled out of the joint committee conference and announced they would wait word from the International before proceeding.

With all deals stymied, the general membership has become restless. Jurisdictional fights are numerous, and several studio walkouts have been narrowly averted. It is generally understood that Browne and his International leaders will huddle in Chicago this week to determine what action will be taken with reference to the 11 Coast locals. It was reported that Casey planned to confer with Browne after the conference, at which time it will be determined whether the International will take over the negotiations and set the deals, or insist upon the locals handling their own affairs. If the latter course is pursued, it may result in a general tieup unless Browne gives the nod for the producers to go ahead and set the deals.

AGVA executive secretary, is representing the actors.

Boothmen Want More Coin

Demands for vacations and substantial wage increases for projectionists in Fox-West Coast theatres in San Diego, Long Beach, Santa Ana, Riverside, Hemet, Palm Springs, Ventura and San Bernardino have been submitted to Charles P. Skouras. R. Stutz is acting as spokesman for the various locals affiliated with District Council No. 2.

Studio scenic artists have voted to accept, with minor reservations, the producer offer of 50c an hour wage increase. The new deal raises the pay of scenic artists from $2.25 to $2.75 per hour. The contract is effective as of Jan. 1, 1941, with 25c per hour of the boost retroactive to Jan. 1, 1940. The artists are asking that the retroactive pay apply to overtime as well as regular hours worked during that period. Assistant scenic artists will receive $1.85 per hour, and pot boys $1.55 per hour. Foremen will be paid $175 per week.

Art Babbitt has been elected president of the Walt Disney unit of the Screen Cartoonists Guild. Phyllis Lambertson is vice-chairman, David Hilberman secretary, and Tom Armstrong treasurer. A tentative contract is now being drafted for submission to studio executives.

Demands of Motion Picture Technicians Local 683 for improved wages and conditions have been presented to Pat Casey. The demands would fix scale of weekly minimums ranging from $66.55 to $119.70, and hourly minimums of $1.15 to $1.50.

John Joseph advertising and publicity director for Universal, has been elected chairman of the Publicity Directors Committee. He succeeds Harry Brand, of 20th-Fox, whose term expired. Robert Taplinger, publicity director for Warners, was selected vice-chairman.

$150 Minimum and No Spec Writing, SWG Idea

Minimum weekly salary of $150 and complete abolishment of speculative writing will be proposed to the producers following the open board meeting Monday night (24) of the Screen Writers Guild. Also considered was an interview fee for non-contractees called in for exposition of their ideas on story properties.

The Screen Writers Guild is broadcasting a questionnaire to all film writers in an effort to learn whether the scriveners favor a minimum salary, abolition of all flat deals under $5,000, and a minimum employment guarantee for writers receiving less than $500 per week. The questionnaire asks:

'What is your present salary? Are you in favor of a minimum salary for writers who have worked in the industry for a given length of time? If so, what should the minimum be? How long should a writer have worked in the industry to be eligible for the minimum? Are you in favor of a two-week minimum guarantee of employment for writers earning under $500 per week?

'Are you in favor of eliminating all flat deals under $5,000? What has been your experience with interviews for jobs since Oct. 10, 1940? Have you been asked to supply ideas orally or in writing before being hired? At what studios? Have you complied with such requests in the hope of getting a job? Did you get the job, etc?'

Screen Actors Guild is expected to ask producers to substitute a $10 daily stub for extras in classifications now ticketed at $11 and $8.25. Another proposed revision would abolish $5.50 calls where less than 50 supes are called and no wardrobe specified. Conference between the SAG and the producers got under way today.

Huddles also were scheduled to get under way between the agents and representatives of the American Guild of Variety Artists on proposed code revisions. The AGVA membership is demanding a substantial increase in all wage minimums, including club dates. Kenneth Howard,

NEW CHARLOTTE, N. C., VARIETY DEBUTS 10TH

With financing already arranged, the newest Variety club, at Charlotte, N. C., will open March 10 when a charter night banquet will be held at quarters which will be maintained in the Hotel Charlotte.

Postmaster-General Frank C. Walker has been invited to attend, while John H. Harris of Pittsburgh will be on hand to present the charter and act as m.c. Bob O'Donnell of the Dallas club will also be present.

Heck Everett, North Carolina exhibitor, has been chosen as chief barker of the Charlotte tent.

Detroit Variety Adds 12

Detroit, Feb. 25.

Evidence of the extensive branching out of the Detroit Variety Club was given here in the induction of 12 new members, representing many phases, near and remote, of show business. The new members include: Philip Brestoff, musical director at the Michigan theatre; John R. McPherson, manager, National Screen Service; Paul D. Bromberg, accountant of Wisper & Wetsman Circuit; James E. West, theatrical photographer; Clark C. Coulter, of Coultier Premiums; Clifford Glessenman, Altec Service Co.; Robert P. Corbin, United Detroit Theatres supervisor; Edward Bellew, UA exploiteer; Robert Bernstein, Metro salesman; Jack Broder, circuit owner; Carl L. Krueger, Jam Handy Picture Service and Lester Gruber, nitery operator.

Mpls. Club's Work

Minneapolis, Feb. 25.

The Twin City Variety Club is equipping the 12 children's wards in the Minneapolis General hospital with radio sets. A 'Gold Rush Days of 49' show is scheduled for March 15 to raise money for this purpose and for the Milk Fund, the club's principal charity project. Chief Barker Ben Blotcky, Eddie Ruben and Bill Elson are in charge of arrangements.

Bert Wheeler and other members of the Earl Carroll's 'Vanities' were entertained and entertained themselves at a party in the clubrooms. The affair drew the season's largest crowd.

The annual grand ball, the main social event of the year, is scheduled for May 15.

PRINTS OF 'LEGONG' 'KLIOU' ATTACHED

Daniel E. Finn, Jr., Sheriff of New York, has attached prints of 'Legong' and 'Kliou' in possession of Lloyds Film Storage Corp., in connection with a suit against Lloyds, DuWorld Pictures, Inc., World Film Corp., Martin Mermelsten, Irwin S. Shapiro and Archie Mayers by J. S. Rex Cole. Cole is the assignee of the Bennett Picture Corp., Ltd.

It claimed that the defendants were given 22 prints of 'Legong' and three of 'Kliou,' but that the distribution contract has run out and the defendants have refused to turn over the prints. All individual defendants are officers of the defendant corporations.

The Minnesota, Mpls., Jinx, In Sudden Fold

Minneapolis, Feb. 25.

Third attempt in recent years to operate the 4,000-seat Minnesota here with a vaudfilm policy ended abruptly when the Middle States Corp., which also runs the Riverside in Milwaukee, closed the house without giving the customary two weeks' notice. It turned the theatre back to the trustees in bankruptcy.

The $2,000,000 house has been using independent films with stage shows. Major screen product is unavailable. Only last week Middle States contemplated a court fight over inability to obtain major product but now there is no mention of this. Arbitration under the consent decree is more likely.

Paramount gave up the theatre several years ago when the lease terminated. Owners themselves tried unsuccessfully to operate it over a 26-week period with vaudfilm and then threw it into bankruptcy.

The operation just concluded lasted only seven weeks during which time an estimated $14,000 loss was sustained despite the fact that Middle States had theatre rent and taxes free.

Post Decree Suit

Continued from page 7

forcing of shorts and newsreels, arbitrary designation of playdates, 'arbitrary, unconscionable and discriminatory film rentals,' score charges, etc.

On its own score, plaintiff states that its personal grievance is against the Warner Bros. Circuit Management Corp. which imposed unreasonable clearance on runs, protection and zoning against it and made it impossible for the plaintiff and other Independents in the area to operate in successful opposition to Warner Bros. houses, or to obtain first run or preferred runs for their theatres. It is charged that the Mayfair was placed in an inferior position, and forced to pay far in excess of what affiliated theatres paid for product, and was also forced to pay score charges to all defendants except Columbia, United Artists and Universal, which the producer-exhibitors falsely claimed were to go as royalties to RCA, Electric Research Products, Inc., and Western Electric, plaintiff says.

As a result plaintiff has lost profits, been unable to secure proper pictures, has overpaid for product, and lost patronage all to the tune of $300,000. Under the Sherman law, triple damages are allowed, so $900,000 is asked.

Defendants include Warner Bros. Pictures, Vitagraph, Inc., Warner Bros. Circuit Management Corp., Paramount, Loew's, Metro, RKO, RKO Radio Pictures, 20th Century-Fox, National Theatres Corp., Columbia, Universal, United Artists Corp. and the MPPDA.

Members of the Dept. of Justice who are to give battle to Columbia, UA and Universal refused comment on the action declaring they wished to study it before making any statement.

THE STORY UNFOLDS

Hollywood, Feb. 25.

Ronald Colman and Anna Lee co-star in 'My Life With Caroline' which rolled yesterday (Mon.) at RKO.

Lewis Milestone is directing the William Hawks production.

Wants Probe of Pix Biz

Continued from page 5

an open mind, but he still maintained the industry needs the woodshed treatment. He said he does not consider the pact which ended the Justice Department attack 'necessarily reforms anything.' Furthermore, he has seen 'no evidence of any change in methods.' When reminded the five-picture-bundle distribution method does not go into effect until the next season, he retorted that the majors knew months before that surrender was inevitable and, if they were acting in good faith, easily could have started the innovation when negotiating rental contracts for the current season.

The Oklahoman—who significantly never has made any similar move against the oil industry, one of the chief targets of New Deal reformers and trust-busters—remarked he was not for the Neely anti-block-booking bill, not because he felt everything is hunky-dory, but because it was not a complete solution.' He said neither the divorcement measure, which never got out of the Senate Judiciary Committee last session, nor the blockbooking proposal buried in his own House Interstate Commerce Committee was sufficiently 'comprehensive.'

The Motion Picture Producers & Distributors of America, Inc., ought to be 'put on' the witness stand whenever a Congressional grand jury gets around to finding out the industry's sins,' Boren believes. He remarked critically that strong political pressure has been exerted on legislators to sidetrack badly-needed reforms, adding that through the Hays organization the industry has been 'holding itself up as pure.' 'With the cooperation of deluded groups' (he was unwilling to name them), the M.P.P.D.A. has been able to weaken existing statutes, bring about introduction of bills that were nothing but smoke-screens, and thwart moves to remedy conditions which have drawn criticism or are contrary to public welfare, he charged.

The Boren resolution is one of the broadest measures of its kind ever laid before Congress. While not as euphonious as the perennial old Sirovich investigation proposal, it would set the bloodhounds to trailing persons in every branch of the industry. Scope of the inquisition would be 'practices and methods of doing business which prevail in connection with the production, sale, leasing, distribution, and exhibition of motion picture films and the use of the motion picture as a medium for influencing the economic, political, and social patterns of American life.'

Propaganda?

Besides having in mind the industry's lobbying on its own behalf, Boren explained the latter phrase would involve checking possible propaganda activities on the part of producers. He recalled the recent yelp of Senator Burton K. Wheeler, spearhead of the drive against the President's lend-lease bill, remarking that somebody should find out if any inflammatory pictures have been turned out of Hollywood. While unwilling to make any accusation, Boren noted that during the World War films were among the most patent means of stirring up American sentiment against Germany.

Besides the matter of distribution and the propaganda angle, Boren thinks there are a number of other angles that need surveying. Outstanding among these are possible divorcement of exhibition from production and 'labor practices.' While he emphasized his mind is not made up, the Oklahoman indicated he feels integration of the two branches is definitely undesirable and Congress should take cognizance of employment conditions in the studios, especially as regards extras. 'If established practices are not evil,' he is entirely ready to forget it.'

'Certain element have long been seeking an Imperial review of many conditions in the film business, and others have been trying to remove some injustice,' Boren justified. 'They are entitled to a thorough examination of the things they have been complaining about.'

The Rules Committee, to which his resolution was referred, is definitely anti-New Deal, though top-heavy with Democrats. Chairman Adolph Sabath, a Chicago Democrat, has been heaving bricks for years at the major companies, taking a major part in the 1932 effort of the late Representative William I. Sirovich to send a Congressional pack on the prowl to Hollywood and having blasted producer-owned chains in connection with his own inquiry into real estate reorganizations and bankruptcies.

DIVA'S $100,000 SUIT AGAINST COLUMBIA

Application will be made Friday (28) to the N. Y. supreme court to examine officers and directors of Columbia Pictures Corp. before trial in connection with a $100,000 action against it by Minnie Saltzman-Stevens, former Wagnerian soprano of the Met.

The 62-year-old ex-diva claims that Columbia used a photograph of her as 'Kundry' in 'Parsifal' in 'I'll Take Romance' without permissi . The film company has entered a general denial.

Consolidated Expects $1.50 Per Pfd. Earnings

Although the financial statement covering 1940 will not be ready before about March 3, Consolidated Film is expected to show approximately $1.50 per preferred share which is slightly below the $1.57 a share in 1939. The company already has declared 25c per share on this preferred in the present year.

Company's film printing and developing biz is holding up comparatively well while earnings of Republic Pictures, its principal subsidiary, are presently reported running strong. Republic never obtained more than 20% of its world revenue from the foreign market and hence is not so drastically affected by the foreign situation caused by the war.

Atlas' 25c on Common

Atlas Corp. (Floyd B. Odlum) directors yesterday (Tuesday) declared 25c dividend on common stock. It is payable March 25 to stock on record March 7. This is company's first divvy this year, 50c being paid in 1940.

Atlas recently purchased some 9,000 shares of Keith-Albee-Orpheum preferred held by Mike Meehan, on which regular and substantial dividends have been paid in recent years.

Net income of $2,521,022 for 1940 also reported by Atlas yesterday. Odlum said the management was optimistic over the long-term outlook for its holdings in RKO, and that 14% of its investment portfolio of common shares was represented by amusements.

RKO's Men From Mars

Hollywood, Feb. 25.

'Parachute Battalion' goes into work March 1 at RKO, under production guidance of Howard Benedict.

Les Goodwins, director, has been toiling with a technical crew at Ft. Bennings, Ga., for the last week, shooting key scenes and backgrounds.

Rita Under the Shawl

Hollywood, Feb. 25.

Rita Hayworth gets the role of the Spanish charmer, Dina Sol, in the Tyrone Power starrer, 'Blood and Sand,' at 20th-Fox.

Nita Naldi played it in the old Rudolph Valentino version.

NAPOLEON

(Continued from page 18)

all this 'Napoleon,' who keeps up a steady flow of bright talk, dispenses advice, comment and suggestions.

Unusual feature is that despite the nitery background no attempt is made to delay the action by dance or song sequences. Lots of sentiment, of course, but it's cleanly done. Arias dominates the show, and is particularly good in the comic sectors, where his personality shows. He's a middle-aged comic who, with his brother, has long had a No. 1 comedy stock company in B.A. Alita Roman is tender and delicate as sick gal, turning in a professional job, and Elena Lucena seemingly improves as she goes along. Others worth a mention are Victoria Cuenca, Margarita Corvani, Miguel Gomez Bao and Francisco Amor. Photography good, but sound a bit overblatant at preem here. *Ray.*

Fox-W.C. to Spend $1,500,000 On New Theatres and Repairs

Los Angeles, Feb. 25.

Heaviest building campaign in history of Fox-West Coast Theatres is about to get under way with eight new theatres projected for California, to be erected at a cost exceeding $1,000,000, and another $500,000 to be expended on remodeling and rehabilitation of existing houses.

Four of the new houses will be in Los Angeles, with plans already being drafted for the first at Crenshaw and Santa Barbara boulevards, to be erected in conjunction with Dave Bershon. Structure with equipment will cost approximately $150,000. Similar amounts are to be laid out the three other theatres contemplated for the local area. Sites for these remaining houses will be decided upon within the next few weeks.

Circuit will erect a $150,000 house at Richmond and one costing a like amount at Vallejo, both in North Central California, adjacent to San Francisco. Preliminary work for both houses is already started.

Plans already drafted and work starts within the next few weeks on a $100,000 theatre which F-WC will erect in San Luis Obispo, in conjunction with Lou Rosenberg, and plans are already under way for a new theatre in North Long Beach, to set circuit back another $150,000.

Around $200,000 will be expended at once in a complete remodeling and refurbishing of the Hippodrome, Sacramento, and an additional $50,000 will be expended on alterations and improvements to circuit's Senator in the state capital.

Most of the new theatres are adjacent to new defense projects or military training camps, particularly the three in the northern part of the state, Richmond, Vallejo and San Luis Obispo.

New theatres and remodeling and refurbishing of existent houses will entail expenditure in excess of $1,500,000 in round figures, with most of the work expected to be completed by late summer or early fall.

WB Won't Build in Youngstown

Youngstown, O., Feb. 25.

Plans for erecting a $100,000 neighborhood theatre on the North Side of Youngstown have been abandoned by Warner Bros., announced Frank B. Savage, manager of the Warner theatre. He said the decision was reached by Warner officials because of efforts to have City Council pass legislation requiring large public parking lots adjacent to such projects in the future. Tenants in two large apartment buildings which promoters planned to demolish to make way for the theatre have been notified that they may remain. The buildings are owned by D. M. Robbins, of WB.

Nat Wolf, of Cleveland, division manager of WB Ohio zone, announced recently that a 1,000-seat house would be built on the site, adjoining the North Side post office in Elm street.

Rochester's Nabe

Rochester, N. Y., Feb. 25.

Emil Muller has obtained a waiver of zoning laws covering part of a lot in the town of Brighton to permit building of a 1,000-seat nabe in fast-growing suburban area. This is first theatre-building project launched here in more than 10 years, in fact since building of two major downtown houses put the Eastman theatre out of business in the screen field.

RKO Palace is going ahead with plans to remodel. House has been practically unchanged since built dozen years ago.

Houston's 2d Drive-In

Austin, Texas, Feb. 25.

Local business men are planning a $27,500 drive-in theatre in a suburb of Houston. New outdoorer will accommodate nearly 1,000 cars. City has one other drive-in operated by the Underwood-Ezell interests.

Modernistic 700-Seater

Lynchburg, Feb. 25.

Modernistic 700-seater to be built on outskirts of Roanoke, Va., by Dan Weinberg, president of Bedford Theatres, Inc. House will be ready late August or September.

More Army Theatres

Detroit, Feb. 25.

With a new 1,200-seater ready to go into operation, Fort Custer, Mich., is going in for plenty more theatre building. The new house marks three in the camp but far from the end. Bids were opened last week for the enlargement of the smaller of the three houses to 1,000-seat size and for construction of a 636-seat theatre for Negro troops. On top of this, towns nearby are putting up new houses, with the Butterfield Circuit underway with a large house in Battle Creek.

Soldiers' House

Louisville, Feb. 25.

Town will have one less theatre for commercial amusements, with selling of the Columbia Hall to the city. Local committee has been appointed to take over the building, which includes a 1,400-seat theatre, to be used for soldier-civilian recreation. Theatre has played occasional roadshows and pictures, and in addition to the stage attractions, building has facilities for boxing and wrestling, basketball, a large ballroom, bowling alleys, etc.

Town now has a large population of soldiers from Fort Knox and Bowman Field, and acquisition of Columbia Hall will be first step to provide entertainment facilities for the men in uniform.

Harry Martin, for years manager of local legit houses, has been in charge of Columbia bookings and rentals, butwill continue his activities in the real estate field when the U. S. Dept of Recreation takes over.

PA. JUKERS SUBJECT TO SAME $2 FEES

Philadelphia, Feb. 25.

Attorney General Claude A. Reno last week ruled that all jukebox films must be reviewed by the State Board of Moton Picture Censors and are subject to the regular $2-a-reel state levy.

The attorney general was asked for his opinion by Mrs. Edna Carroll, chairman of the censor board. He said that the jukepix distribs would have to pay the same fee as the full-size film companies—$2 for the original reel and the same amount for reprints.

In addition to the state license it has been reported that the city council is set to plaster on a municipal tax as soon as the slot-machine pictures make their appearance here. Thus far there has been no evidence of the gadgets in this area.

25% to Tipsters

Minneapolis, Feb. 25.

The Minnesota state senate general legislation committee has killed a bill designed to legalize slot machines and substituted in its place another measure under which the informer who turns in the operator of a slot machine and helps to get him convicted will receive 25% of the fine collected.

St. Louis Group Seeks To Outlaw Triple Features

St. Louis, Feb. 25.

Because of the failure of exhibitors in the metropolitan St. Louis district that includes towns in nearby Illinois to co-op in eliminating triple-feature programs, the St. Louis Better Films Council is preparing bills outlawing such programs for introduction in the Missouri and Illinois Legislatures. The Council, for several months, has tried to get the exhibs to get together and erase what has been termed 'unnecessarily long' shows, but when they failed they decided that legal recourse would bring them into line.

Pleas for better financial returns from triple programs were thumbed aside by execs of the Council who assert that the eyesight and physical health of patrons, especially kiddies, far outweighed the financial side of the picture. It is reported that the Council will enlist the aid of other organizations in its fight to stamp out triples through the proposed legislation.

Arbitration

Continued from page 6

over the Whittier and East End theatres. The complaint also alleged that the producers charged arbitrary film rental which were unreasonable in his case and amounted to a refusal of product.

In another portion of the complaint, citing a distinct case, Julius and Milt London, as heads of Midtown, named the same two companies and added RKO and 20th. While basis of complaint ran along the same line it named the Coliseum as getting the preference over the Midtown and also named as houses suffering from the unreasonable clearance the Majestic, Mayfair and Globe.

Allied's Own Bureau

Chicago, Feb. 25.

Allied Indie exhib group here is readying to set up its own central bureau to handle all complaints of its members to the arbitration office under the consent decree. This was decided last week at the meeting of the board of directors.

Allied execs figure that instead of having its individual members running to the consent decree office with complaints, it would simplify matters if these complaints were registered with the Allied office and that a specially designated Allied officer would forward these squawks to the federal arbiter here. Feel that in this way many points with which the individual member might not be familiar will be clarified by some specialist in this field.

Board of directors as yet has made no choice for this post.

First Denver Squawk

Denver, Feb. 25.

First case filed with Denver arbitration board secretary J. B. Milton was lodged by the Jos. J. Goodstein Enterprises, Inc., operating the Longmont theatre, Longmont, Colo., against 20th-Fox, Metro and Paramount. Goodstein claims these companies refuse, along with Universal, Columbia, United Artists and Monogram, to sell him any product, selling only to the Fox-Longmont theare, owned by Fox Intermountain.

Goodstein says he can buy from Vitagraph, RKO and Republic, but claims that is not enough product. Goodstein asks for another apportionment of product.

No Beefs in L. A.—Yet

Los Angeles, Feb. 25.

Los Angeles offices of American Arbitration Association, set up to hear industry complaint under the new consent decree, have been open more than three weeks with not a single case so far filed.

Walter H. Elliott, secretary, in charge, is ready to hear any grievances, his arbitration panel has been set up and everything is ready to try the industry ills, but so far there are no ills, at least none that have come to the surface.

No Squawks So Far in Ga.

Atlanta, Feb. 25.

Cozily esconced on seventh floor of Mortgage Guarantee Bldg., the Atlanta tribunal of American Arbitration Ass'n is all set to adjudicate any and all disputes arising from the consent decree. In charge is Detlef H. Hansen, Jr., of New York, who reports that to date nary a whisper of a complaint has come to his ears and he has been called upon to answer only one inquiry.

Homand's Complaint

Washington, Feb. 25.

Secking a change in clearance, Leo J. Homand, operator of the Westway, Baltimore, filed a complaint with the local arbitration board here yesterday (Monday) against Metro, Warner Bros. and 20th-Fox.

Involved is clearance which these distributors give to the opposition Edgewood in Baltimore, a Durkee circuit house. Clearance given is not indicated in the complaint.

Weiss 'Unfair,' Col. Holds Up Picture

Hollywood, Feb. 25.

Columbia will not proceed with plans for producing the Louis Weiss-Max Nosseck production, 'Sing It Again,' until Weiss gets himself off the Screen Actors Guild unfair list.

Herta Margot and Moishe Oysher, who is contracted for the leads in 'Sing It Again,' were told that the picture would be released by Columbia. Oysher, a cantor, has heretofore appeared in Yiddish films. 'Sing It Again' was to be done in English.

Production is now stymied until Weiss gets a clean bill of health from the Guild.

Set Groundwork for Third Exhib Org. in N. Y.; Indies Meet in Albany

Albany, Feb. 25.

Groundwork for a third exhibitor organization in New York state, to take the place of the old Allied Theatre Owners unit, the national Allied body, w. laid at a meeting of indies held here during the past week, attended by Sidney Samuelson, a national Allied director, and Thornton Kelly, also of New Jersey. Kelly was active in the old N. Y. Allied group, headed by Max A. Cohen, which broke away from the parent organization because of friction over the trade practices code then being framed.

Two up-staters who also were active in the old Allied unit, Leonard L. Rosenthal and Abe Stone, have been appointed to a temporary operating committee. Former is an attorney whose family owns the State, Troy, while Stone runs the Eagle here. Others on the committee are Max Cohen, operator of the Lido, Brooklyn (not to be confused with Max A. Cohen), and Morris Goldblatt, Tarrytown exhibitor.

Two exhibs from the Buffalo area will be chosen at a meeting to be held there some time in March. The temporary committee has been authorized to appoint other committees, set a scale of dues and take other necessary organizational steps prior to a convention that is to be held some time between now and Aug. 15.

Allied Theatre Owners of N. Y. and the Motion Picture Theatre Owners of N. Y., with the state divided between them, are both affiliated with the Motion Picture Theatr Owners of America.

Yorke's $3,750 Suit

An application to examine Arthur H. Loucks and John H. Norling before trial, made to the N. Y. supreme court, resulted in a reserved decision Friday (21) by Justice Bernard L. Shientag. The plaintiff in the action is Emerson Yorke, producer, both defendants also being film producers.

Defendants made two, one-reel, third-dimensional stereoscopic shorts for the Chrysler Car Co. in 1939. Plaintiff charges he brought the defendants and the car company together, and seeks commissions of $3,750.

Defense claims that the deal was for one picture and that Yorke was paid in full for his services. Donnelly & Donnelly are attorneys for the plaintiff, and Fifelson & Mayers for defendants. Cost of the two one-reelers was in excess of $100,000.

UNION EXEC FINED FOR JURY TAMPERING

Milwaukee, Feb. 25.

Feuding in the Motion Picture Projectionists' union, Local No. 164 AFL, was aired in Circuit Judge William F. Shaughnessy's court here Friday (21) when Norman W. Haberstat, a member of the union's executive board, was fined $250 for contempt after being accused of attempting to influence a juryman, another operator, Eugene Goderski, who was one of a group hearing a $10,000 damage suit. Oscar E. Olson, business agent of the union, paid Habersat's fine.

Goderski reported to the court that Habersat had telephoned him that the case he was sitting on was 'a frameup,' so the judge declared a mistrial and praised Goderski for reporting the incident.

Habersat, when haled into court, admitted phoning Goderski, but declared he (Habersat) was 'the victim of a lousy frameup. I've been put on the spot. There's a bunch of fellows against the union administration. Several years ago I picketed a theatre owned by Goderski's father and I think that's the reason Goderski is putting me behind the eight-ball now.'

The case in which Goderski was serving on the jury was instituted by Mrs. Paula Stifter against Mrs. Theresa Gesell, wife of a nite spot owner, for alleged assault and battery and slander.

DIST. MGR. ROY SMART BECOMES K-W BOOKER

Reversing the usual procedure, the Kincey-Wilby circuit has chosen one of its district theatre managers and placed him in charge of all booking. He's Roy Smart, district manager at Charlotte, N. C., for many years.

Move was made recently following decision by K-W that booking now had become one of greater importance than the average circuit attached to it.

Several months ago Bob Wilby told VARIETY that he was going to make such a shift, moving one of his district operators to the post of booking. Smart was formerly a Birmingham newspaperman.

New York Theatres

LOEW'S State — TIMES SQ — Last Times Wed. "PHILADELPHIA STORY" — Plus BIG IN PERSON SHOW — Starts Thur., Feb. 27 — Madeleine CARROLL, Fred MacMURRAY in "VIRGINIA" — In Person Bill BARDO, CALGARY Bros., Nikyi BOWAN, George GIVOT

PARAMOUNT — "THE LADY EVE" — Barbara Stanwyck, Henry Fonda — A Paramount Picture — IN PERSON Tony Pastor and His Ore, ELLA LOGAN, BEN BLUE — Mainlte Screen Shows

Clarence Brown's Production of James STEWART • LAMARR in "COME LIVE WITH ME" — A Metro-Goldwyn-Mayer Picture — Capitol — Broadway at 51st Street

RADIO CITY MUSIC HALL — "SO ENDS OUR NIGHT" — Spectacular Stage Productions

RKO PALACE — B'WAY & 47th St — "WESTERN UNION" — Robert YOUNG, Randolph SCOTT, Virginia GILMORE — —and— "Meet The Chump" with HUGH HERBERT

END WEEK — James CAGNEY, Olivia DeHAVILLAND — in the new Warner Bros. hit — "Strawberry Blonde" — with RITA HAYWORTH — —IN PERSON— RAYMOND SCOTT and His Orchestra — STRAND B'way & 47th St.

WALT DISNEY'S FANTASIA — with STOKOWSKI conducting the miracle music of RCA Fantasound — Children half-price at all times — BROADWAY 53 St. & B'way Circle 6-6363

CHAS. BOYER, MARGARET SULLAVAN — —in— "BACK STREET" — A Universal Picture — UNITED ARTISTS — RIVOLI — Broadway at 49th St. — Doors Open 9:30 A.M. — MIDNITE SHOWS

Max Wylie Heads Script Department At Blackett-Sample-Hummert, Chi

Max Wylie, Columbia script editor, has resigned to become radio director and script editor-in-chief of Blackett-Sample-Hummert, effective March 10. He will headquarter in Chicago, but make frequent visits to New York. He signed the contract yesterday (Tuesday).

Job is a new one, for which the agency has been seeking a suitable man for some time. Wylie has nixed several previous offers for the assignment, but finally gave in to added inducement. Understood he will supervise all the agency's 40-odd programs, including those handled by both the Chicago and New York offices.

A novelist and playwright, as well as a textbook writer in his spare time, Wylie plans to continue his annual series of 'Best Broadcast' collections, of which he has issued two volumes. He may also take time off for the possible Broadway production of the anti-Nazi play 'Bed-Rock,' on which he collaborated with radio writer, Milton Geiger.

During his seven years with CBS, Wylie has developed a number of previously unknown radio scripters, besides persuading several name authors from other fields to try writing for the air. Before entering radio he taught English at Pennsylvania university, was on the faculty of Punjab university in India, and, among other things, was a radio announcer in Bombay for a time. He is a brother of novelist Philip Wylie and half-brother of the late young novelist Edmund Kiskaddon (Wylie).

Columbia has not yet selected a new script editor to succeed him.

BACHER'S 'IF' ON L.A. RETURN

Bill Bacher will give up his production post at WGN, Chicago, and return to the Coast if the William Morris office is successful in setting him as producer of the Louella Parsons program for Lifebuoy. Other 'if' is Dick Marvin's ability to overcome obstacles to Parsons' 'free guest list' and close deal for William Esty.

Bacher and Parsons worked together on the old 'Hollywood Hotel' show for Campbell Soup.

Bob Emery Sunday Show Moves After Many Yrs.

After some seven years as a Sunday morning nine o'clock sustainer, the Bob Emery 'Rainbow House' program is being moved to Saturday morning at 10 a.m. It will go to the Mutual network. Saturday setup is figured a good bet for commercialization. Meantime, Emery's other Saturday kid show 'This Wonderful World,' at the New York Museum of Natural History, moves into auditorium seating 1,500 at 1:45 p.m.

'Rainbow House' continues to have the Dolphe Martin 'vocal orchestra' kid choir as an integral part.

BERGEN BUDGET DOWN

Armbruster's Orchestra Cut from 30 to 18 Men

Hollywood, Feb. 25.

Chase & Sanborn is trimming budget drastically on the Edgar Bergen Sunday night radio program.

Robert Armbruster's orchestra clipped from 30 to 18.

Try the Case or Forget It

The $100,000 suit of Broadcast Producers of N. Y., Inc., against the Knickerbocker Broadcasting Corp. will be dismissed for lack of prosecution unless the plaintiff moves for an April trial, Justice Bernard L. Shientag ruled Wed. (19) in the N. Y. supreme court. Action claims plagiarism of plaintiff's program, 'Makers of Men.'

Program was submitted to the defendant, it is claimed, who appropriated it for its own use and broadcast it over WMCA. It is also claimed that WMCA, by claiming the program, spoiled a deal plaintiff had set up with Emergency Shelter, Inc., for the sponsorship of the program.

Jimmy Scribner For Swansdown in Midwest

Johnson Family (Jimmy Scribner) will plug Swansdown Flour, a General Foods Product, on a midwest Mutual hookup five times a week starting March 10.

Young & Rubicam is the agency.

THREE SHOWS DEPART NBC

Three commercials will wash up their careers for the season on the NBC during the week of March 9. They are 'Sherlock Holmes' (Bromo Quinine), the Orrin Tucker-Bonnie Baker show (Yeast Foam) and 'Serenade of Love' (Chamberlain Cosmetics).

Chamberlain series, like the Tucker-Baker program, is exclusively musical, but its hookup is limited to Chicago and points west.

Vallee, Murray, Langford On Rexall L. A. Discs; Walter Craig's 11th Yr.

Walter Craig left yesterday (Tuesday) for Hollywood where he will stage three 15-minute transcriptions for Rexall's semi-annual one-cent sale. Craig, indie production consultant, has been doing the Rexall (United Drug) semi-annuals for 11 years. Present spring series will cost about $10,000 and will include Rudy Vallee and orchestra, Ken Murray, Frances Langford and Harlow Wilcox. Craig will headquarter during the week of March 3 at the Hotel Ambassador, L. A.

Producer will dig program ideas with Hollywood angles to bring back east with him.

MUTUAL STATION LIST SWELLS SOON TO 175

Two more stations are slated to join the Mutual network within the next couple of months, bringing the number of affiliates to 175. Upon completion of its studios and transmitter about March 15, WAGE, Syracuse, will become a regular outlet, operating on 1,000 watts power and at 620 kc., full time. It is a new licensee.

Other newcomer will be WIBC, Indianapolis, which joins the Mutual lineup about April 15, when it receives its license to become a full-time station. Outlet is constructing a new transmitter, which will operate on 5,000 watts daytime and 1,000 watts night, at 1070 kc. It now transmits only until local sundown. It will be a basic Mutual station.

FRITZ BLOCKI

Radio producer-director-writer. Currently producing "Your Dream Has Come True" for Quaker Oats (Ruthrauff and Ryan, Chicago). Previous network writing, or production, or both, include "Court of Quinine", (1 year), "Captain Midnight" (2 years), "Backstage Wife"; "Roses and Drums", and others.

'Claudia' Stage Show As Base for Summer Sub At Young & Rubicam

Young & Rubicam has the radio serial rights to 'Claudia,' John Golden's New Broadway legit authored by Rose Franken, which opened last week. Apparently Y&R made the deal with Miss Franken before the play opened. Late Monday (24) the author was scheduled to confer with Hubbell Robinson and other Y&R executives regarding final adjustment of contract details.

Some talk current last week that Young & Rubicam might consider producing 'Claudia' as a summer show to replace either the Jello (General Foods) or Ipana (Bristol-Myers) program when these take leave of the air but no definite sponsorship has been set.

Various radio agencies have been dickering for the serial rights to the Rose Franken stories ever since they first began to appear in Red Book approximately three years ago. In fall of 1939 a compilation of 10 'Claudia' stories was published in book form. Sequel, entitled 'Claudia and David,' included 12 more stories. There were others also, not published in book form.

Original plans were to present 'Claudia' via radio in April with later discussions shelving idea until June. No date for radio opening has yet been definitely decided on and there is a possibility that air version may not be produced until the fall.

Springfield Replaces New Haven for Noxzema

Hartford, Feb. 25.

Noxzema's 'Quiz of Two Cities' trying a new angle Sunday (2) when Springfield, Mass., replaces New Haven as Hartford's competing burgh. Switch means loss of commercial to WICC, which has shared series with WTIC since show began last fall.

Hartford-Springfield joust skedded for several weeks, Connecticut contestants broadcasting from Hotel Bond and Bay Staters from Hotel Kimball.

Shouse Re-Blueprmts Crosley Sales

Robert Dunville New General Sales Mgr. for All Radio Properties After March 15

Cincinnati, Feb. 25.

Revision of the executive set-up for sales and merchandising divisions of Crosley's WLW, WSAI and WLWO, to become effective March 15, has been set by James D. Shouse. Robert E. Dunville, WLW sales manager, becomes general sales manager of all Crosley broadcasting properties. His present post will be taken over by Harry Mason Smith, now manager of the New York office of WLW, located at Transamerican. When Smith comes here, Warren Jennings, who has been a member of WLW's New York sales organization for three years, will take over as manager at N. Y. end.

When Dunville becomes sales chief of WLW, WSAI and WLWO, he will be reported to directly by John E. Rudolph, sales service manager; William Oldham, research director; Beulah Strawway, merchandising director, and M. F. (Chick) Allison, sales promotion manager. These department heads have been reporting to Shouse.

Said Shouse: 'The realignment is intended to offer a clean-cut operating set-up that will make it possible for us to cooperate with more efficiency. For some time I have felt that with the expansion of our organization generally, it has become increasingly more difficult for me to work in a helpful manner with many who have a right to expect cooperation and helpful assistance from my office.'

Former Foe Praises Radio

St. Louis, Feb. 25.

Radio, once the big hate of piano manufacturers, is now 'our friend,' according to Lawrence H. Selz, Chicago, representative of the National Piano Manufacturers' Assn. which sponsored a five-state meeting here recently. Selz attributed the popularity of the radio as being the direct reason for a boom in piano sales which leaped from a low of 27,000 in 1932 to 136,250 last year.

'It took the piano makers a long time to wake up after radio came in,' Selz said. 'We still strung along with player pianos, closing our eyes to the fact that the radio and phonograph were much better as musical dispensers. Now, however, we see that the radio has engendered a musical appreciation in the public that must find expression in actual playing. That's why our frowns of 10 years ago are smiles today.'

'A Wise Man Changes His Mind'

Charlotte, N. C., Feb. 25.

The press-radio situation at Gastonia is all love and kisses these days. The Gazette, Gastonia daily newspaper, now carries complete program logs for WGNC, and the station gives the paper two programs a day, devoted to news.

Announcement of the new arrangement, replacing one of hostility, has just been made by both the newspaper and the station, Pat McSwain manages WGNC and J. W. Atkins manages the paper.

The paper's announcement began: '. . . there has been not only a lack of cooperation but also a lack of understanding between newspapers and radio. . . .'

It concluded:

'A wise man changes his opinion, a fool never is an old adage and this newspaper has changed its belief that radio competition is detrimental to the newspaper. We believe the two can cooperate fully to their mutual benefit. And, of course, the public is the beneficiary from both ends of the line. This is the explanation of this new arrangement of cooperation between WGNC and The Gazette.'

NBC Must Pay Rebroadcast Fees

Accounts Were Assured on Pacific Repeats—Now AFRA Holds Web Erred in Wage Interpretation

NBC is negotiating with the American Federation of Radio Artists for a settlement of money it owes to players on the 'Grand Central Station' and 'Manhattan at Midnight' programs in connection with delayed broadcasts. The network had assured the accounts allied with these shows that the broadcasts could be recorded on the west coast by affiliated station without paying a rebroadcast fee to the casts, and now that the union has ruled otherwise it is up to NBC to pay the actors the accumulated difference out of its own exchequer.

Another show on the blue, 'Gang Busters,' had also failed to take the rebroadcast fee into account, but NBC has already made a settlement on this score with Phillips Lord, owner of this program. The salesman in selling the hookup to Sloan's Liniment had assured the account that there wouldn't be rebroadcast fee for the actors in the event west coast stations elected to record the show off the line and broadcast it at a later hour.

'Grand Central Station' was brought over to the blue from CBS by Lever Bros., while 'Manhattan' started on the blue under the tag of Cummer Products (Young & Rubicam). In either case the back money for actors may amount to over $2,500.

NBC explained last week that the difficulty was due entirely to its own interpretation to the clause in the AFRA contract which deals with rebroadcasts. The language, it pointed out, was vague and the payment ruling could be construed as applying only to instances where the actors actually engaged in a rebroadcast.

AFRA Collects $5,456

Claims totalling $5,456, mostly for additional fees for off-the-line recordings of commercial shows, were collected by the American Federation of Radio Artists during January. Several hundred members received extra coin from the collections, which were made in New York, Chicago and Los Angeles. Various sponsors and agencies were involved and some additional amounts are still pending. New York's portion of the total was $3,316. All the collections were made upon claim, none requiring arbitration.

Union's New York local has set up a committee under Tom Shirley to study the problem of obtaining legislation to protect the earnings of children in radio, but no specific recommendations are expected for some time. With its dental and optical plans operating satisfactorily, the local is now working out a plan for group health insurance.

Wayne Short has been chosen by the St. Louis local as its representative on the national committee to consider constitutional amendments for submission to the next annual convention. St. Louis local has reported to the national board that it now has signed contracts with the four leading stations in that city, KMOX, KXOK, KSD and KWK. Only two others, WEW and WIL, remain to be signed.

AFRA's next objective in Detroit is WJR, the CBS outlet and only remaining important station without a contract with the union. Figured it will probably be a tough assignment.

NYA Charges Anti-Jazz Prejudice Singled Out Pop Division for Cuts

Some 250 young men and women were dropped this week from the popular music division of the National Youth Admin tration. Phil Napoleon, head of project, stays on payroll, however. Curtailment was ordered by national head, Aubrey Williams, because New York section was $750,000 over latest U. S. allowance.

There is resentment in the project because, it is claimed, the personal dislike of jazz by New York administrator Helen Harris was reflected in the decision to scuttle the pop music activities while allowing the classical music section to go unscathed.

NYA Varieties program on WNYC, New York, is one of several programs that go off the air under the axe.

116 ON PAYROLL

WJSV, Washington, Staff Expanding With War Situation

Washington, Feb. 25.

Recent addition to the staff of WJSV brings the total station personnel of the CBS outlet to 116.

Station, which has been increasing steadily since the outbreak of the European war, last week added Miss Peggy Phelps of Kansas City to the staff of Program Director Lloyd Dennis.

Easy Aces to Florida

Goodman and Jane Ace, of 'Easy Aces' (NBC) leave today (Wednesday) for Florida for a three or four-week vacation. Plot has been outlined in advance by Ace and Don Johnson will take up the scripting where Ace left off. Mary Hunter, who plays Marge, will do the directing.

Current plot involves Jane Ace's activities as a knitter of sweaters for the boys in a training camp and the complications that ensue when the patterns for a secret airplane part and a model sweater get switched.

CBS SETS 'EXCLUSIVE' RULE

GETTING LAX-ATIVE

Night-time network radio programs—which means the big-time, prestige, point-with-pride part of broadcasting—are walking backwards, crabwise, into the excesses of former years with regard to purge-urging. There can be no other interpretation of the astonishing advertising copy heard last Wednesday (19) on the Sal Hepatica program. Phrases out of the past were sledgehammered across by Harry Von Zell: 'The ideal laxative' . . . 'usually acts within an hour' . . . 'the swift and gentle aid' 'three out of five physicians . . . endorse.'

This gross violation on a leading program of the good taste of millions of Americans represents unfortunate retrogression after enlightened progress. It was crude, old-fashioned physic copy to come from an agency like Young & Rubicam and must also inevitably suggest the question: 'has continuity acceptance at NBC been hamstrung?'

Advertising copy can never be explicit enough to satisfy the sizz-phiz merchandisers, but for the past several years the networks have had the moral courage to keep the most objectionable kinds of copy off the air altogether and the border line cases under restraint.

The advertising part was a sour note to an enjoyable half hour (Eddie Cantor, Dinah Shore, Bert Gordon, et al) and apart from the anachronism which such hokey-pokey copy represents it was a strong practical reason why many laxative-disliking homes might avoid Cantor in preference for the Fred Allen show on the air at the same time for Texaco gasoline, which is good only for what ails your car.

Defense 'Report' Part of Daily NBC Farm Hour

Washington, Feb. 25.

Ambitious radio report to the nation on the daily progress of the national defense program was incorporated Monday (24) in the NBC National Farm and Home Hour. Each day, from Monday through Friday, the Washington studios of NBC will attempt to 'give a rounded picture of day-to-day developments in national defense,' reviewing news of 'all defense activities, including those of private industry as well as of regular government departments and other special agencies which have been established to handle various phases of the program.'

With approximately 90% of all news emanating from the National Capital falling under the classification of national defense, outsiders believe the national chain will run up against a prickly problem in editing and condensing defense items.

Announcer Charles Barry will handle the broadcasts, which will be culled from the Office of Production Management, the National Defense Commission and other Washington sources.

WALTER HUSTON KEY TO WGN 'TOWN' FLASH

Walter Huston was brought to Chi last week by WGN in connection with a drive to sell the as yet unsponsored 'Home Town' program to the Independent Dealers Assn.

This 30-minute dramatic show was auditioned to the Dealers last month but with Huston's part played by sub. Huston was in town last week to huddle with the key men on the organization. WGN has put a terrific drive behind this program and is pulling no punches to put it over.

San An' Meeting Feb. 28

San Antonio, Feb. 25.

The 13th division of the National Association of Broadcasters will convene here at the Gunter Hotel on Feb. 28.

Jack Kesler, of the WOAI Commercial department, at the same time has called for a sales manager meeting, of which group he is chairman.

No Politics—Just Politicians

Washington, Feb. 25.

New CBS quiz show not only uses members of the House of Representatives as contestants and follows a procedure along the lines of parliamentary rules—it actually makes Congressional 'appropriations' for cash prizes. Just to make it confusing, the station has tabbed the series 'No Politics.'

Columnist Ernest Lindley is m.c. on the program and plays the part of the speaker. Announcer Hugh Conover portrays the clerk and different members of Congress are guest competitors on each week's stanza. Questions, submitted by listeners, may be on any subject except politics.

To give the acoustical effect of a regular Congressional session, the program is held in the large, high-ceilinged, marble-columned Willard room of the Willard hotel. And when a question is muffed by the legislators, the speaker 'introduces a bill' appropriating $5 for the listener who submitted the stumper. Solons, being politicians, invariably pass the proposed 'bill.'

TRANSAMERICAN SELLS 'AS THE TWIG IS BENT'

General Foods has bought the dramatic strip, 'As the Twig Is Bent,' from the Transamerican Broadcasting and Television Corp. Show will for the start be waxed and placed on between 50 and 60 stations through Young & Rubicam.

Network outlet for the serial will be determined after a possibly 13-week test. Disc version debuts March 10.

Oboler East for Month

Hollywood, Feb. 25.

Arch Oboler transfers origination of his 'Everyman's Theatre' series east for four weeks beginning March 7. Stopoff will be made in Chicago for 'Problem Papa' with Dickie Hol-land and then follows three in New York, to wit, Raymond Edward Johnson in 'Ugliest Man in the World,' and a repeat of Raymond Massey's 'This Precious Freedom.' March 28 date is still open.

Oboler was renewed last week by Procter & Gamble for a third quarter.

Leighton Blood at NBC

Leighton Blood is the new trade news editor at NBC's press department in New York.

He was with Town Hall in New York for some years,.

CHARITY SHOWS' DUPLICATION BAD

Benefits and Public Interest Programs (President Excepted, of Course) Should Be Prepared for CBS Alone, Other Productions for Other Outlets

IMPLICATIONS

The Columbia Broadcasting System will continue to discourage the use of its facilities for joint broadcasts in the case of benefit and similar shows. What it did in case of the recent Greek Relief Fund program has become a set policy. Such shows will have to be broadcast exclusively over Columbia or else. Only exception to CBS' participation in simultaneous hookups will be talks by President Roosevelt and other events of transcendental importance.

Columbia is telling organizations putting on benefit programs that it would be better for them to put on a different show for each network, because if a show is not competently produced the fact that it's on three or four networks at the same time only aggravates the stigma. CBS also fears that the continuance of the joint network practice may conjure up some parallel to totalitarian procedure, with the arrangement being eventually seized upon by political figures and thereby forcing network dialers to lisen to their speeches to the exclusion of non-propaganda programs.

Columbia is adopting this policy on its own and without any discussion with NBC or Mutual.

NBC for its part will get 'em exclusive if possible but will not refuse to carry programs that are not. At least no policy is contemplated.

SUMMER RADIO MUSICAL CYCLE?

Program producers look forward to a wholesale rush for musical programs as summer commercial fillins on the networks, providing contracts have been signatured between the webs and ASCAP in ample time. These quarters around the agencies agree that the quiz show has pretty well run its course and that about the only substitute that the trade can turn to is music.

Agency men also point out the psychological factor that will present itself, in that they will be able to make balyhoo of the circumstance that the public has again available to it music that it hadn't heard for some time. But, these forecasters add, a lot will depend on how long it takes the networks to make a settlement with ASCAP. If the negotiations are prolonged too much, they will have to stick to their quiz programs or pick up low-priced dramatic shows.

AGMA-AFM Break Due?

Intervention by the Federal Government in the jurisdictional dispute between the American Guild of Variety Artists and the musicians' union loomed as a possibility yesterday (Tuesday). What form such a move might take was uncertain.

Lawrence Tibbett, the AGMA president, and Henry Jaffe, attorney, were in Washington late last week, but refuse to disclose what, if any, discussions they had with Government officials.

Red Tape Cut at Army Camps; Gives Commandant Discretion To Okay Any Radio Program

Washington, Feb. 25.

One of the chief obstacles in the way of arranging radio pick-ups from U. S. Army camps was overcome last week, a system having been worked out to simplify the job of getting permission to originate programs at military posts. Difficulty in setting up wire lines will disappear under an order allowing telephone companies to make necessary installations if the Signal Corps cannot accommodate.

Policy laid down by Maj. Gen. Emory S. Adams, the Adjutant General, specifies that temporary installation of commercial lines can be allowed by the commanding officer at any Army post under military supervision whenever Army wires are not available or the Signal Corps is too busy to handle the job. Discretion is lodged in the commandant, who can refuse permission in case he doubts the program would benefit the Army or the public.

Without insisting on any rigid formalities, the War Department has given approval to a suggestion of the National Association of Broadcasters that standard information be supplied by any station wanting to originate a commercial program from a military reservation. Consent has to come from the director of public relations at the War Department, here.

Data which should be given in the request includes the name and location of the transmitter, the prospective sponsor, the date and time of the program, product to be advertised, general nature of the broadcast and talent to be employed, desired microphone location and wire facilities, and any arrangements for waxing and rebroadcasting. The broadcaster must give assurance the program will not involve expense to the government nor interfere with military activities. Text of the commercial copy must be submitted, while the program must be opened and closed with the statement that there is no implied or actual indorsement of the product advertised.

Good Will

Another Army move to win the good will of the radio industry is arrangement of a trip for commentators and program executives to Air Corps stations. In the near future, a selected group of broadcasting people will be flown around to the chief posts—notably Wright Field at Dayton, O., the chief experimental station; Randolph Field, Tex., the 'West Point of the Air'; and key fields, such as March Field, Riverside, Calif.—to get a better idea of operations, types of equipment, organization problems, etc. Similar junket was staged for aviation writers recently and others are planned for magazine and newsreel people.

Can't Talk That Slow

Radio actress who appears almost exclusively on evening and comedy shows, was complaining that she's never been able to crash the more lucrative daytime serial field.

Asked why, she said, in all seriousness, 'I can't talk that slow.'

TOLEDO JUDGES 'SPURN' RADIO

Toledo, O., Feb. 25.

Judges of municipal court at Toledo, meeting in an official session, have turned down a proposal of WTOL, Toledo, to broadcast daily half-hour sessions of police traffic court. The judges said it would not be possible to give each case its due consideration with a microphone in front of them and the knowledge that court business was being broadcast.

Presiding Judge Harvey G. Straub said that 'the defendants come before the bench for justice, and not to provide entertainment.'

William Benton Buys Into Associated Music And Will Be Active

William Benton, who became assistant to Robert Hutchins, Chicago University prez, after selling his partnership in the Benton & Bowles agency, has bought an interest in Associated Music Publishers, Inc., and will take an active part in the operation of its various enterprises. He becomes a director and member of the executive committee. The AMP also controls Muzak and recording studios, and is a subsidiary of the North American Co.

Waddill Catchings remains chairman of the AMP board and C. M. Finney is president. Two v.p.'s have just been named, Ben Selvin in charge of program recording, and Ernest Voigt in charge of the music publishing end.

Associated Revises

Albany, Feb. 25.

Associated Music Publishers, Inc., has reduced its capital stock from $975,000 to $368,750. Instead of 6,000 preferred shares at $100 par value, the new setup provides for 6,250 preferred at $50 par value.

Total number of common shares has been cut from 75,000 to 11,250 shares. Latter will continue to carry a par value of $5.

HUMMERT RENEWALS FOR TEXAS STATIONS

San Antonio, Feb. 25.

A blanket renewal was received here by station KABC, local outlet for the Texas State Network, for five quarter hours from 9:30 to 10:45 each day Monday through Friday on the Blackett-Sample-Hummert shows, which the web received when the Transcontinental web failed to function.

Shows include 'Backstage Wife' for Dr. Lyons Tooth Powder; 'Easy Aces' for Anacin; 'Neighbors' with Blanchard McKee for California Syrup of Figs; 'Our Gal Sunday' for Bisodol and Kolynos and 'Love Songs of Today' for Bayer Aspirin.

MAGS, DAILIES TO BALLY KEGLINED SHOW ON MBS

American Can Co. will make use of a newspaper and magazine campaign to ballyhoo the show which it figures on placing on Mutual for its Keglined brand March 31. The spot is 8:30-9 p.m. Monday.

Program is a mystery-comedy series by Martin Gosch and Howard Harris. Cast and title are not set. A&S Lyons office placed the show through Young & Rubicam.

Lambdin Kay's New Job

Atlanta, Feb. 25.

Lambdin Kay, formerly of WSB, has become associate director in charge of year-round public relations for the Atlanta Community Fund.

After WSB changed hands, J. Leonard Reinsch, new general manager, put Kay into public relations job, post created for him.

Al Foster Organizes Checking Service as Admen's 'Insurance'; Says Discrepancies High as 25%

By SAM X. HURST

St. Louis, Feb. 25.

New 'insurance protection' for bankrollers who, heretofore, have been solely dependent on station manager affidavit for proof of performance has been established here by the National Radio Checking Service, Inc., managed by Al S. Foster, former general manager of WEW, and for seven years previously business manager of WWL, New Orleans. A nation wide organization of mentally alert, but physically handicapped persons, has been quietly organized during the past three months by this new firm and competent checkers are now available in 135 markets with planned expansion to reach 600 within the next 60 days.

Foster organization has already sold service to Groves Laboratories, (Bromo Quinine), Lewis Howe (Tums and NR), Beaumont (Four Way Cold Tablets), and the W. R. Sheaffer Pen Co. Other radio advertisers who have expressed interest are Ralston Purina Co., Dr. Caldwell Syrup of Pepsin, Curtis Candy Co., Carter's Little Liver Pills.

In explaining the development of this plan Foster said, 'Radio advertisers have a right for a more definite check on performance than the station manager's word. No advertiser would pay for the smallest advertisment in the most obscure publication without seeing proof of performance. Advertisers check their billboards, magazine and newspapers. Now, advertisers through this service, can check the smallest spot in the most remote community.

'Under the current policy of virtually every radio station in the U. S. affidavits are furnished the time buyer as proof of performance. Having held executive posts in the industry for nearly 20 years I know how the affidavit system has become routine. For instance, a pile of affidavits is furnished the executive who signs them believing them to be correct. It is physically impossible for any station exec. on a fully skedded station, to know that each affidavit he signs is 100% accurate.

'He believes that the information is correct and the advertiser has had to accept his belief. With our proposed service no advertiser need be so naive. He receives written reports showing programs preceding his spot and product advertised, the program following and the product advertised and whether any announcements other than his were sandwiched between these programs. On chain programs we watch for program interruptions; competitive announcements before and after; sneak announcements on stations breaks and local; announcers anticipating network cues, and so on.'

'Assignments are forwarded from the National Radio Checking Service office every Thursday to the checkers for the following week. Forms are returned each weekend and then placed in the hands of the subscriber by the Wednesday following. Daily reports also can be furnished as special service.'

Foster said that at the beginning of the NRCS advertisers found many discrepancies, as high as 20% and 25% on some stations at some points. This volume has been gradually decreased. Discrepancies have been found on some of the nation's leading stations and where they would be least expected, Foster declared.

Foster said advertisers subscribing to this service have received rebates and re-runs in numerous instances and expressions of regret from station operators and representatives. The service fee is based on volume and is planned only as insurance for advertisers. Foster reasons that concerns carry fire, liability and accident insurance and don't hope for a fire, etc.

BRANDT AIDES NORTON

Otto Brandt has become assistant to John H. Norton, Jr., manager of station relations for the NBC-blue network.

Brandt, who has been doing promotion work in the department, replaces Lee Jahncke, Jr., who recently was summoned by the Navy to active duty as a lieutenant, junior grade.

Fate

Joan Banks and Frank Lovejoy think the whole thing is a conspiracy. They're both radio actors and met a couple of years ago when they appeared on the same show. They were married not long afterward.

They haven't been programmed together since.

KATE SMITH'S 'OLD HOME WK.' DELAYED

Proposed 'Old Home Week' stunt on the Kate Smith broadcast this Friday (28) has been postponed until March 21 because Bud Abbott and Lou Costello aren't free to come onto New York from Hollywood until then. 'Aldrich Family' was to be part of the reunion and the appearance of this act has likewise been put off until the 21st.

The recent heavy rains on the Coast have interfered with the completion of Abbott and Costello's latest picture, 'Oh, Charlie.' The comics are returning to Hollywood shortly after their New York broadcast and will do four more shows with Miss Smith from the westcoast, starting March 28. Latter will at the same time work out her program tie-up with Paramount, while Abbott and Costello will start work on their new Universal production, 'We're in the Navy Now.'

Smith-Hope Visits

Hollywood, Feb. 25.

Bob Hope will swap guest shots with Kate Smith during latter's four-week pitch here for inclusion of dramatic excerpts from Paramount pictures. Tee-offer is 'Las Vegas Nights' March 21, followed successively by 'The Roundup,' 'Road to Zanzibar' and 'I Wanted Wings.'

No date has been set for Miss Smith's repayment of Hope's call in 'Zanzibar.'

Jean Ellington Returns

Jean Ellington, who retired from singing two years ago after being married, is returning to radio. She worked on a number of NBC commercials for several years.

Singer auditioned for a spot on a new CBS show last week.

Couche as N.A.B. Chairman

Seattle, Feb. 25.

C. E. Couche, promotion and advertising manager of KOIN and KALE, has been named chairman of the sales managers division of the local district of the National Association of Broadcasters.

Couche has been with the KOIN-KALE organization since 1932.

Dale Evans, Cesar Petrillo On Bowey's From Chicago

'News and Rhythm,' 25-minute variety series Sunday afternoons, starts March 9 under Bowey's dairy products sponsorship, originating out of Chicago and airing over six far-western outlets of CBS.

Talent includes Dale Evans, vocalist, and Cesar Petrillo's orchestra.

PETRILLO'S 'OR ELSE' FORCES WSIX'S OKAY

Nashville, Feb. 25.

Pressure from James C. Petrillo, president of the American Federation of Musicians, and the Mutual Network forced WSIX to sign a contract with the Nashville Association of Musicians Friday (20). The attempt of the local affiliate of the A. F. of M. to get WSIX to sign up with the union seemed doomed to failure until the action by Petrillo.

Frances Craig's orchestra was recalled by union in late January and two weeks later Glenna Calloway's 'Words and Music' was jerked by Mutual. The station did not come to terms until the threat to pull all Mutual remotes was made.

For the past two or three years WSIX has had a working agreement with the musicians union. This agreement expired on Dec. 5, 1940, and since that time the union has attempted to get station to sign up.

Under contract signed this week by George Cooper, president of the Nashville Association of Musicians, and J. M. Draughn of WSIX the station will audition various members of the union this week and from the group choose its musical director. It is believed new pact calls for about four man orchestra, the smallest used by any local station.

WSM will renew its contract with the union in March. WLAC already has renewed its pact, naming Charles Nagy as musical director for the fourth consecutive year.

Myron Kirk With Schurr

Myron Kirk, last with Sherman K. Ellis, formerly with Ruthrauff & Ryan, has been placed in charge of radio program production department of Louis Schurr office.

Will work with Lester Schurr.

Prime 'Craig Kennedy'

Radio rights to 'Craig Kennedy' detective novels have been obtained by Alan Lipscott and E. Parke Levy, former writers on the Ben Bernie and other air shows. Scriveners are preparing adaptations of the stories for agency presentation.

Yarns of the famed scientific detective were by Arthur B. Reeves. Lipscott and Levy obtained rights from his daughter, Peggy, of Trenton, N. J.

Max Karl as Spokesman

Minneapolis, Feb. 25.

Max Karl, WCCO educational director, has been invited to represent WCCO and the Columbia Broadcasting System at the inauguration of J. L. McCorison, new president of Yankton college, Yankton, S. D., this week.

He will participate in a radio panel broadcast in which religion, education, radio and the press will be represented. The discussion will be on the topic 'Institutions of Democracy in Wartime.'

Talent Agents 'Licensed' by AFRA

The following is revised list of professional placement agents handling actors who have taken out 'franchises' with the American Federation of Radio Artists. The list may be considered to constitute a fairly complete picture of the scope and personnel of present day radio agenting.

NEW YORK

Nicholas T. Agneta
Charles H. Allen
Allied Radio Associates
Laura Arnold
Artrep
Clarence John Austin
Jack Barry Agency
Brandt & Brandt
Walter Batchelor
Herman Bernie
Briscoe & Goldsmith
Jane Broder
Irving J. Charnoff
Herman Citron
Cleary & Coe
Ted Collins Corp.
Columbia Artists
Phil Coscia
Henry H. Dagand
Jack Davies
Frank Duncan
Sara Enright
Fadiman Associates
Edwin Fadiman
Featured Artists Service
Carl Fenton
Herman Fialkoff
Frieda Fishbein
Bernie Foyer
General Amusement Corp.
Evo Gincher
Joseph Glaser
Gordon & Williamson
Grombach Productions
Al Grossman
Sylvia Hahlo
Mark Hanna
Hayward-Deverich, Inc.
Leland Hayward, Inc.
Henry W. Herrman
Hesse & McCaffrey
Miles Ingalls
J. M. Rush Jermon
Nat S. Jerome
Tom Kennedy
Al H. Knight
Kenneth Later
Mark J. Leddy
Olga Lee
Daniel Leeds
Florence Lennon
William Liebling
Liebling-Wood
Jack Linden
Ben B. Lipset
William McMahon
A & S Lyons
MCA Artists
Bernice Meek
William Miller
Irving Mills
William Morris
Harry Morton
John Moses
Roger E. Murrel
National Broadcasting Co.
Harry Norwood
John O'Connor
Al Ochs
Philip G. Offin
Harry Pearl
Murray Phillips
Betty Raskin
Stanley Rayburn
Max Richard
Al Rogers
Roth-Wiswell
Leah Salisbury
David S. Samuels
George Sartin
Taps Schornstein
John A. Schultz
Mary L. Shank
Edward Sherman
William Shilling
Louis Shurr Agency
Samuel S. Shribman
George S. Silvers
Sol Tepper
Max Tishman
Rudy Vallee Orchestra
Billy Van
Joe Williams
WNEW Artists Bureau
WOR Program Service
Harold Ward
Wilson, Powell & Hayward
Charles Yates

LOS ANGELES

Artists' Agency
Associated Artists
Bellit & Buhler
Stanley Bergerman
Beyer & MacArthur
Flo Browne
Sue Carol & Associates
Lee Chadwick
William B. Charney
J. S. Rex Cole
Ruth Collier
Conlon-Armstrong
Mike Connolly
Hallam Cooley
Lydia Crow
Frank T. Davis
Gus Dembling
Richard Donaldson
Betty Fairfax
Famous Artists Corp.
Feldman-Blum Corp.
William Fleck
Freddie Fralick
George Frank
Jack Gardner
Bruce Gear
Mitchell Gertz
Nat C. Goldstone
Noll Gurney
Mitchell J. Hamilburg
Hayward-Deverich
Leland Hayward
Edward Henry
Walter Herzbrun
Lou Irwin
Sam Jaffe
Mrs. Jessie Hirsch
Menifee L. Johnstone
Walter Kane
Walter Kane
Alex Kempner
Al Kingston
Paul Kohner
Earl Kramer
John Lancaster
Leon O. Lane
Howard L.
Lang-Pam
Abraham Lehr
Ted Lesser
M. C. Levee
Lichtig & Englander
William Liebling
Liebling-Wood
A. & S. Lyons
John McCormick
MacQuarrie
MCA Artists
Gene Mann
Milo M. Marchetti
Marty Martyn
Zeppo Marx
Ben Medford
Art Meyer
Walter Meyers
Wallace Middleton
Donald Montgomery
William Morris
Leo Morrison
Harry Norwood
Olenick-Gold
Elinor O'Reilly
The Orsatti
Pantages
Columbia Management of Calif.
Charles Kenneth Feldman
General Amusement Corp.
Phil Berg-Bert Allenberg
Sam Howard & Associates
Richard A. Monter-Edward M. Gru
National Broadcasting Co.
Richard K. Pollmer
Jack Pomeroy
Dorothy S. Preble
Rebecca & Silton
Richardson
Joe Rivkin
Art Rush
James L. Saphier
Floyd H. Schenk
Max Shagrin
Melville A. Shauer
Jack Sherrill
Louis Shurr
Arthur Silber
Edward Thompson
Small
Jonathan Smith
Frank Slempel
Rosalie Stewart
David H. Thompson
Rudy Vallee Orchestra Units
A. George Volck
Jessie B. Wadsworth
Granville Walker
Minna Wallis
Wells
Paul Wilkins
Henry Willson
Nat Wolff
Harry Wurtzel
Bill Woolfenden

CHICAGO

Leslie Clucas
Columbia Artists
W. M. Ellsworth
Marie Agnes Foley
General Amusement Corp.
W. Biggie Levin
Paula Lieberthal
William Morris
MCA Artists
Sidney P. Morse
National Broadcasting Co.
James Parks
Pearl Roos
WGN, Inc.

NBC's Army Calls

Randolph Field, Tex., Feb. 25.

The National Broadcasting Co.'s two touring units spent the past week here and originated two broadcasts from the 'West Point of the Air.' The first on Wednesday (19) was when 'Spin and Win with Jimmy Flynn' was aired from the Post theatre in the Administration building. The second was on Friday (21) when the NBC mobile unit presented its Friday Night Army Show from here.

For the latter Lester O'Keefe of NBC was in charge of the production. Hoyt Andres and Pat Flaherty of the WOAI staff assisted in the announcing duties. This was the mobile unit's 10th stop.

Both shows were announced by Bob Stanton of NBC. From here the two units go to Fort Bliss, Texas.

SOURGRAPERS RAP CONTESTS

Detroit, Feb. 25.

Whether radio contests have any value as far as attaining general good will has been reflected in widespread controversy in the newspaper letter box columns here. What set off the row was one writer declaring he had never heard of a single winner in a contest turning out to be anyone he knew. He also said that he had written in on contests for years without getting the slightest nod or having any of his friends cash in on the thousands of prizes.

His letter flushed out several Detroit contest winners who said they had picked up small winnings, of them pointing out that those sponsoring contests would get into a jam for using the mails to defraud if the contests were faked.

However, by far the bulk of the writers turned out to be the sourgrapers because they had failed to win and there never had been any winners 'we knew.' Several declared they were off the products sponsoring the contests.

Steeden, Inc., Dissolves

Albany, Feb. 25.

Peter Van Steeden, Inc., of New York, has been dissolved. Papers to this effect were filed with the secretary of state last week.

Van Steeden, band leader, has the musical assignment on 'Mr. District Attorney' (NBC) and formerly was part of the Fred Allen program.

J. H. Ryan, general manager of WSPD, Toledo, is on a 10-day tour of the Fort Industry Co. stations in Atlanta, Wheeling and Fairmont, W. Va., and Zanesville and Lima O.

Stanton Staff Develops 'An 80% Return' On Mail Study; Other Aspects Unique

New audience and coverage study, recently completed by the Columbia Broadcasting System represents a technique embracing many claimed unique aspects. Greatest of these is the fact that after repeated experiments Frank Stanton, CBS Director of Research, and his staff has produced the first mail study 'ever to achieve an overall 80% response' with each return, further, 'identified by name, address and type of family.' Columbia points out that a 20% return in any mail study is generally considered very good and that NBC on one mail study got less than 14%.

In a letter of explanation to CBS stations last week Stanton summarized four major points wherein the new CBS mail study is unique. They are:

1. *First coverage study in radio whose audience data come not only from each county in the United States, but from each population center within every county in the United States.*

2. *First coverage study based on a proper cross section of the radio audience by income levels.*

3. *First study of network and station coverage based on the actual weekly circulation each station has in every county; i.e., on the percentage of all-radio families who report listening to the station once a week or oftener.*

This may not seem an important point until you realize that most other studies depend on such a loose definition of coverage as 'regular' listening. We discovered that 'regular' listening means different things to different people. Our study, on the other hand, is based on a definition of listening ('at least once a week') which means exactly the same thing to everybody.

4. *First coverage study based on a complete family report of the station listening habits of the entire family, not merely of the person answering the questions.*

CBS will not officially release its new data for some time. In the meantime Columbia salesmen have to be instructed in its significance. Emphasis upon net circulation as against the more conventional 'primary' type of data will be made and research merits of detail ballot form, uniform distribution, every county statistically stands upon its own bottoms, etc.

SHOWMANSHIP IN RELIGION

Eastman's Suggestions for Shows

(Recently, Prof. Fred Eastman, of the Chicago Theological Seminary, made a detailed study of network religious broadcasts. As fruit of his studies he forwarded to NBC and CBS the following outline for possible radio programs with a religious-democracy emphasis. He speaks of his several proposals as all falling under the general classification of 'The Spiritual Roots of Democracy'—Ed.)

1. A Series on 'Spiritual History of the Human Race'

Aim: To make the public more aware of our heritage. We are, as Walter Lippmann says, 'children of a high destiny, in the line of great men who performed great deeds, members of the noble company throughout the centuries who had faith when men were hopeless, who fortified reason against unreason, vindicated justice against violence . . .'

Sources: The lives of saints and martyrs (and not a few sinners) who have proclaimed liberating ideas and defended them against the forces of ignorance, bigotry, and tyranny. Among such lives are Socrates, Plato, Aristotle, Moses, David, Isaiah, Amos, Jesus, Paul, Stephen, Augustine, St. Francis of Assisi, Dante, Milton, Locke, Jefferson, Lincoln.

Method: Biographical dramas, presenting scenes from critical periods of their lives, when they were under attack for their ideas. Much the same method that NBC now uses in its 'Cavalcade of America' series, but on a vaster scale.

2. A Series on the 'War of Ideas'

Aim: To make vivid the basic ideas which are now in conflict—the ideas underlying democracy on the one hand and totalitarianism on the other. To take but one example, democracy is based upon the idea that man has worth and dignity which no power on earth has the right to violate; totalitarianism is based on the idea that man is but a pawn of the state.

Sources: The philosophies and theologies of the ages, as interpreted by their leading exponents. University and Seminary faculties to collaborate.

Method: Debates, panel discussions, public forums. A typical question to be discussed: To whom does man belong—to himself, to the state, or to God?

3. A Series on the 'Good Life for Mankind'

Aim: To lift the horizons of listeners until they see above and beyond the troubles of the moment to the ideal democratic society as envisioned by the seers and prophets.

Sources: The literature of the Ideal Society, from Plato's Republic, Jesus' teachings concerning the Kingdom of God, John's Vision of the Holy City, and Augustine's City of God, to James Hilton's Lost Horizon and John MacMurray's Creative Society.

Method: Dramatizations, coupled with interpretations and discussions by modern philosophers and social scientists.

4. A Series on 'Builders of Tomorrow'

Aim: To give recognition and appreciation to the men and women who are laboring to bring order out of the world's chaos, beauty out of its ugliness, good will out of its hatreds.

Sources: Lives of contemporary (or recent) broad-gauged missionaries, social workers, teachers, doctors, business men and others. Lists of religious workers doing significant work in difficult fields could be furnished by Federal Council of Churches, Home Missions Council, etc.; of social workers by their national association or by the Survey Graphic; Catholic and Jewish workers by their national societies. But the series should include also outstanding laymen who may not have any ecclesiastical connection.

Method: Dramatizations showing such men and women at work, and bringing out, also, the sources of their inspiration and sustained enthusiasm.

5. A Series on 'Communities Reborn'

Aim: To inspire dead or lethargic communities to new life by picturing other communities which have risen from the dead. More often than not the rebirth has come about by the unselfish and at times heroic leadership of some individual—a young minister, school superintendent, community nurse, or socially-minded layman—who discovers a way to meet some community need and persuades his fellow citizens to rally around.

Sources: Religious and social workers' magazines, newspaper accounts, Rotary, Kiwanis, and other civic and social organizations.

Method: Dramatizations, interviews, panel discussions.

6. A Series on 'New Lives for Old'

Aim: To give new hope to men and women broken or frustrated in the battles of life by relating the actual stories of other such men and women who have re-integrated their lives and found useful places in society.

Sources: Hospitals for mental healing; clinical psychologists; social workers; ministers; doctors. The statement of purpose of the Elgin State Hospital, for example, reads, 'This is a hospital dedicated by the State of Illinois to the welfare of its people for their relief and restoration, a place of hope for the healing of mind, body, and spirit, where many find health and happiness again.' Such institutions have hundreds of records of old lives made new. While many individuals will prefer to remain anonymous they are so grateful for their new life that they will, to help others, share their experience.

7. A Series on 'Crises of Democracy'

Aim: To help the public to an understanding of the present crisis by portraying similar crises in history. While no two are exactly alike, the underlying issues are often strikingly similar. For example, the conquests of Hitler can be compared with the Arab and Turkish invasions of Europe, and the later conquests of Napoleon. Or the persecutions of the Jews in Poland today with their treatment by the Romans in the days of Caesar Augustus, or by the Egyptians, Assyrians, and Babylonians in the days of their domination over Israel.

Sources: The historians of Universities and Seminaries.

Method: Dramatizations, coupled with interpretations by historians.

CLERICS AWARE OF RADIO SNAGS

Present Emphasis Upon 'Democracy' Ties In With Religious Elements — What Clergymen Should and Should Not Say on the Air —Production Suggestions Made by Seminary Professor

'CASTERS ARE WARY

By ROBERT J. LANDRY

In a quiet, little-reported way religious leaders are giving much thought to radio and how it might be used to counteract present-day irreligious tendencies. The problem of using radio, these leaders realize, is a problem of resolving sectarian differences, of working out practical ways and means to carry the message and not conflict with the broadcasting industry's oft-burned aversion to high-pressure evangelism. In essence, it is a problem of religious showmanship and planning.

Rev. Frank Nelson, of the Lakewood, Ohio, Congregational Church, has formulated what he calls a 'Religious Broadcasters Code (see adjoining column) while Fred Eastman, a professor at the Chicago Theological Seminary, has set forth his thinking on the subject of religious programming in considerable detail.

Reflective clergymen apparently see religion as a third point in a public morale triangle, with democracy and radio as the other two points. Professor Eastman cites his 'assumptions' for the radio program he outlines (in adjoining columns). His basic assumptions as communicated to VARIETY are:

Democracy and Armaments

1. Democracy cannot be preserved by armaments alone. Its chief defense must always lie in the minds and hearts of the people. They must know what it is, where it came from, and how indispensable it is to their freedom and development.

2. Yet such knowledge is not enough. Appreciation must rise to the heights of affection. People will strive to preserve what they love.

3. Radio in general, and the national networks in particular, have no higher function in the present world-crisis than to increase this knowledge and appreciation. The most powerful techniques of radio should be employed, and its best executive abilities and artistic talents enlisted, to this end. If democracy fails, the national networks of radio will degenerate into mouthpieces of a fascist state.

4. Democracy has religious roots. Its basic concept is the worth and dignity of man. This concept is also basic in the religions of the western world—Hellenic, Hebrew, and Christian.

Religious Ideals

5. Therefore, any thorough-going presentation of the history and values of democracy will include these religious roots. And it will also include the contemporary workings of the religious ideals in the lives of citizens and communities.

6. The programs should be entirely non-sectarian and should have entertainment value as well as human interest in order to insure their popularity.

7. The cooperation of the major religious bodies and of the colleges and universities will be gladly given.

Broadcasters have long been wary of many religious broadcasters because of the abuse and misuse of their facilities made in the past by the zealots. Additionally, the average broadcaster fears like the plague programs of whatever nature that are deemed dull to most people and hence are likely to denude a station of its audience. Church programs have often been guaranteed airwaves-emptiers. The recognition of this fact now, it seems, extends beyond the commercial radio industry to the churchmen themselves.

Rev. Nelson's Religious 'Code'

The fundamental purpose of religious radio, is to build up faith. Therefore:

1. The religious broadcaster shall not employ the microphone to build up his own church.

2. The religious broadcaster shall not use radio for the purpose of attacking the tenets of another faith.

3. The religious broadcaster shall not engage in derogatory remarks about religious leaders with whom he may disagree.

4. The religious broadcaster must not become a victim of unscriptural philosophies concerning race.

5. The religious broadcaster must take into consideration the fact that he is not speaking to his congregation but a much more diverse group. He cannot use some of the vocabulary which he employs with his own people.

6. The religious broadcaster must not assume that his listeners are interested in what he is going to say. While there is an incurable religious instinct there is not natural religious atmosphere.

7. The religious broadcaster must not use elements in his program that are likely to be ill timed and out of place. Prayer at the beginning of a program in conventional church services may well be reserved until the end when an atmosphere has been developed for it.

8. The broadcaster will not speak into the microphone as if he were exhorting his people in high and impassioned tones but will rather speak conversationally in a natural tone of voice as if he were giving counsel in his study, talking to one of his parishioners or engaging in soul-clinical work. For this reason the use of the regular radio studio is recommended. Remote control broadcasts (programs picked up in the chancel or auditorium) are apt to convey distance and aloofness as well as distortions and unseemly pauses.

9. The religious broadcaster must at all times remain relaxed else his nervousness will be transmitted to his listeners. The ear is quick to detect emotion and much more able to discern insecurity than the eye. A man may speak from the pulpit and cover up his disquietitude about difficulties under which he is laboring by raising his voice with a show of confidence or by gestures designed to distract attention, whereas over the microphone the slightest anxiety or haste, the least worry or fretfulness can be detected easily. The ear is more sensitive than the eye since its first appeal is to the imagination which amplifies out of all proportion those defects.

10. The religious broadcaster should not be required to pay for the use of the facilities of radio. There are many reasons for this, chief among which is the fact that a premium is placed upon the particular doctrine of the broadcaster who has financial resources. This is apt to produce a lack of harmony when it comes to the true motive of religious broadcasting, namely: the building up of faith in God.

A Religious Radio Council, consisting of representatives of various denominations and sects could well divide their available time, subject to the requirements of good radio as defined by the stations involved.

AT PALM SPRINGS

Radio Writers Turn Out Scripts at California Desert Resort

Hollywood, Feb. 25.

Three Procter & Gamble radio writers are currently at Palm Springs, Cal., for indeterminate work-vacation visits. All are continuing to author their shows, sending the scripts east and leaving production details to associates.

Last week's arrival was Sandra Michael ('Against the Storm' and 'Lone Journey'). Already established here were Orin Tovrov ('Ma Perkins') and Carl Bixby ('Life Can Be Beautiful'). Miss Michael intends staying a month, or until the cold weather ends back east. Plans of the others are indefinite.

PHILLY BULLETIN ASKS FM LICENSE

Philadelphia, Feb. 25.

The Evening Bulletin, Philly's largest and most conservative newspaper, last week filed an application with the Federal Communications Commission for a permit to erect a frequency modulation station here. The move was considered significant here since the Bulletin, until comparatively recently, had a rabid anti-radio policy. The change in attitude was also noteworthy since Major Robert McLean, president of the Bulletin Company, is also head of the Associated Press.

The Bulletin's action is in line with the more liberal trend taken by AP newspapers and the news service itself toward the rival medium.

The application with the FCC was filed by a Bulletin subsidiary, the Gibraltar Service Corp., Philadelphia, the officers of which are identical with that of the newspaper.

JOHN CONRAD IN ARMY

St. Louis, Feb. 25.

John Conrad, former gabber and public relations director at KWK, returned here last week, wound up his affairs and joined the U. S. A. at Leavenworth, Kans.

After leaving St. Louis, Conrad was promotion manager at WSAI, and a member of the public relations staff at WLW. He is 28.

RADIO COURT 'TRYS' SERIALS, CLAIMS

Minneapolis, Feb. 25.

Minneapolis Parent-Teachers' association has launched a 'radio court' to put various programs and broadcast features on 'trial.' Representatives of stations and advertising agencies, appearing as witnesses, are grilled by association members who utilize the occasion to give vent to their opinions regarding ether waves' entertainment and advertising.

Sentiments voiced during the court's first session made it plain that the local PTA is not altogether pleased with some of the programs their children hear over the radio. Particular fault was found with the blood and thunder dramatizations.

A complaint by one woman was that her son gets so scared after one of these programs that she has to accompany him from room to room.

Exaggerated advertising claims also came in for a panning. But Dr. A. R. Root, Knox Reeves advertising agency research man, insisted that 'no claims are made on the radio which can't be substantiated by competent authority.'

In reply to a complaint from some of the women that, instead of 'adult type' programs, the radio is serving up numerous 'watery serials,' Dr. Root said that 'programs must suit a wide diversity of interest and tastes and that radio's nature prevents selection of an audience.'

Other 'witnesses' were Carl Burkland of WCCO and H. K. Painter of Hutchinson Advertising agency.

Mrs. J. R. Towne, 'court judge,' said the sessions would continue as 'the need arises.' She explained that PTA unit chairmen are acting as a 'grand or investigating body' and direct radio chairmen as 'petit or trial body.'

Davidson Taylor of CBS did a piece on 'Good Radio' for the March issue of Theatre Arts.

'GAY NINETIES REVUE'
With Joe E. Howard, Beatrice Kay, Billy M. Greene, Four Clubmen, Florodora Girls, Ray Bloch orchestra
25 Mins.
U. S. TOBACCO
Monday, 8:30 p.m.
WABC-CBS, New York
(Kudner)

Long a Columbia sustainer and enjoying the reported top popularity rating of all the web's sustainers, 'Gay Nineties Revue' makes an ideal package for U. S. Tobacco, which has more or less consistently identified itself with Americana, nostalgia, old timey-small timey hoke. This 25 minutes (8:55 goes to Elmer Davis for news summary) has the speed of a fast vaudeville show. The trappings of the former generation are sketched briefly but do not become cumbersome, either caption-wise or complication-wise.

What made the inaugural program under commercial auspices memorable were the performances, first, of the many-sided, versatile Beatrice Kay and second, of the remarkable oldtimer, Joe E. Howard, going strong in his seventies. It is good to those who remember the old show biz to hear an artist like Miss Kay enrich and embellish a song into a personality display that is the essence of good entertainment, and a blessed relief after the downpour of quiz programs.

Miss Kay romped home with Eva Tanguay's old classic, 'I Don't Care.' Hers was the same kind of pep and projection. Later in the show, with the burlesque rendition of 'Take Back Your Gold,' Miss Kay attested her scope, while her verbal exchange with Billy M. Green as 'Chuck and Pol'—or boy meets gol' was breezy crossfire.

Howard gave out, with perfect diction and breath control, a high-speed old piece bearing the strange-sounding title, 'The Handicap March.' The authority of his performance shone forth from start to finish. These were troupers!

Greene's comicking and the several strong items from the Four Clubmen and the Florodora Girls all belonged and blended, as did the lively, bouncey music of Ray Bloch.

Columbia rings the bell with this sustainer - gone - glamorous-with-a-bankroller. Networks sell programs infrequently. The occasion, and when as successful within its purposes as this, rates marginal annotation. *Land.*

EDWARD R. MURROW
Talk
20 Mins.
Monday, 7:40 p.m.
BBC, London

Columbia's London chief, scholarly Edward R. Murrow, is now doing a series for the British, too. He's heard once every two weeks explaining Yankeedom to this country. It's mostly background stuff, the peculiarities of American politics, etc.

Sure to attract attention here at this time Murrow, a fine experienced speaker, would be more intelligently used by BBC if heard oftener than once a fortnight.

BUDDY CLARK
'Treat-Time'
With John Duffy, Frank Kettering Orch, John Weigal
15 Mins.
ARMOUR
M-W-F, 11 a.m.
WABC-CBS, New York
(Lord & Thomas)

Standard variety show pattern is varied on this new series by adding an adaptation of sentimental daytime drama. Result is a curious blend that's neither one thing nor the other. Show is expertly produced and performed, but its success seems uncertain. It's obviously supposed to appeal to the femmes, but those who like drama would presumably choose the straight serials, while those who like music would probably prefer it unadulterated. And, not to be ignored, 'Treat-Time' clearly involves a heavier investment than the average serial show.

Initial program Monday (24) morning consisted of two smoothly handled vocals by Buddy Clark, a moderately swingy number by Frank Kettering's small orchestra, with a ponderously romantic episode from the life of Chopin as the meat of the stanza. For sheer tremolo stuff, the latter out-hoked the hoke serials. John Duffy's playing of Chopin background music was a relieving note.

John Weigal is announcer-m.c. for the series. There were two commercials on the debut edition, the first being straight, reasonably concise and rather persuasive. Second, following immediately on the dramatic bit, opened with a pertinent and therefore surprising wisecrack, and was otherwise effectively written. Show is sponsored by Armour & Co. to plug its canned meat product, Treet. It originates in Chicago. *Hobe.*

MARGARET and GORDON MUNRO
Dramatic
15 Mins.
Sustaining
Daily, 11 a.m.
WJZ, New York

Rather pleasant light comedy serial fashioned much along lines of the 'Blondie' stories in films. Should hold its own in the pre-midday field. Revolves about domestic life of young married couple, referred to as Margaret and Gordon Munro, who have just arrived from Kansas to establish a home in a one-room New York apartment. Gordon has a job on the N. Y. Morning Star.

Stanza caught dealt with a letter about 'Uncle.' Margaret thinks that 'Uncle' is very unhappy back in Kansas and would like to bring him on to N. Y. Gordy protests there isn't room for 'Uncle' in a one-room apartment, pointing out that 'Uncle' wouldn't even be able to wag his tail without creating untold havoc. Yes, 'Uncle' is a Great Dane. And the letter from home goes on to say how 'Uncle' has spoiled tulip beds, ruined sheets and knocked the grocer's delivery boy off his bicycle. Damage is so extensive that Margaret insists it would be cheaper to keep 'Uncle' in New York than back home.

Strictly folksy material, with the couple handling lines capably. *Mort.*

'CARNIVAL FOR BRITAIN'
With Gertrude Lawrence, C. B. Cochran, Vivien Leigh, Laurence Oliver (brief portion)
Music Hall, Radio City
Three Hours, 35 Mins.
WNEW, New York

Not since the benefit for American flood sufferers three years ago has there been an event like that which was staged after midnight last Friday (21) in the same spot. Because of network regulations (time, policy, ASCAP situation, etc.) the show was not broadcast coast to coast, so it became a natural for WNEW, an all-night station, in New York.

For radio listeners the kick of program was at the very start, a two-way conversation between personalities in London and on the stage at the Music Hall. Gertrude Lawrence spoke from this end while Charles B. Cochran, Vivien Leigh, Laurence Olivier and the Lord Mayor of London were clearly heard from an underground station in the English metropolis. When 'Cocksie's' hearty voice was heard, tears welled in the eyes of many show-wise listeners.

It was to have been a three-way broadcast, finaleing with Hollywood. That part was announced and Hollywood was asked to come in but remained silent. Those running the show and the broadcast were puzzled but somebody had forgotten to explain that L. A. was cancelled. Said Miss Lawrence: 'Hell Cocky' to which the cheerful London showman replied: 'How are you, Gertie, my dear.' (There was no mention by name of Miss Lawrence's present triumph in 'Lady in The Dark').

The absence of the Coast portion of the program may have disappointed some but the weight of performance as it went into stride later in the morning, as detailed elsewhere in this issue, made the audience and listeners forget the lapse. One portion of the show was excluded from the broadcast intentionally. That was 'Information, Please,' kept out evidently by orders from the sponsor. It was augmented for the occasion however, by the leading participants —John Kieran, Franklin P. Adams and Oscar Levant. In the interim WNEW took over at the studio, where there was entertainment and an appeal to enlist in the cause by buying an enameled pin to aid British civilian relief. Disks and tunes of British flavor (Ambrose, Hylton, 'Berkeley Square') appropriately backgrounded this portion.

Show credits were studiously deleted when artists from Broadway attractions went on the air. That seemed drawing the line too fine and whether it was the station or some one in the various committees who slapped on the ban was not indicated. The program was poor radio in terms of production, good in terms of names.

The lack of rehearsal, confusion, and general symptoms of the 'benefit' were evident. The motive excused the quality of the broadcast, the hesitations, feed-backs and other faults. *Ibee.*

'GEORGE WASHINGTON'
With Orson Welles
30 Mins.—Local
Sustaining
Saturday, 8 p.m.
WNEW, New York.

Only from the studio production angle was the Orson Welles one-time half-hour shot as George Washington okay. It was timely (George Washington's birthday). It shied clear of hokum and overly ambitious sound effects.

But there was a flaw. The words were the words of Washington but the voice was the voice of Orson Welles. It was an overly-smooth, unctious voice that came across the air-waves, letter-perfect and well-oiled. Only by the widest stretch of the imagination could it be taken to be the voice of the first President of the United States. It lacked sincerity and conviction. Any one of a score of other well-rehearsed actors might have been doing it. In this instance it was too obviously Welles.

When Welles stepped 'out of character' at the close of the broadcast to make a curtain speech he was well advised in forewarning the listeners that he was about to speak as Orson Welles and not as Washington. Had he not done this few would have known whether they were being addressed by the actor, as such, or a President, in make-believe.

There was undeniable merit in the studio effort. But that was owing almost exclusively to the repetition of the things that Washington wrote and said, a reiteration of those profound humanitarian principles, the lofty ideals and dreams he had for the American people, which could not fail to stir most deeply in a time of upheaval such as the present.

The script itself was well knit, opening with the first shedding of blood in 1775, highlighting the special meeting of Congress to choose a commander-in-chief for the Colonial armies, Washington's acceptance, the reading of the Declaration of Independence and the early military defeats. Then followed reading of a letter from Washington in which he said that he was unhappy in his command and would rather have joined the ranks or retired to the back country, but that he hoped to surmount all difficulties. Most compelling was the scene where the Colonial troops, hungry, cold and discouraged, sent a spokesman to Washington to say they would like to lay down their arms because they considered themselves beaten. To which Washington replied that they could not be beaten 'when we've nothing but a few wooden buildings to lose and freedom to gain. Would any price be too great for freedom or liberty?'

Script was written by Charles Martin from research supplied by a lecturer of history of Columbia University. Reference to Washington's refusal to become the first King of America on grounds that it would be a 'triumph for our enemies to see we are incapable of governing ourselves.' Closed with Washington's retirement after a second term, and brief commentary by Welles quoting from the President's letter to Lafayette in which he said that democratic states must feel before they can see, that this is what makes their government slow, but the people will be right at last.

Station WNEW is making available recordings of the program to students of schools and colleges at actual cost—$2.50. *Mort.*

'LIVING LITERATURE'
With Marjorie Hurtubise
15 Mins.
Sustaining
Wednesday, 2:15 p.m.
WJZ-NBC, New York

As indicated by the title, 'Living Literature' is a book review-dramatization program. It alternates with 'Echoes of History' in the NBC Women's Division's 'Let's Talk It Over' series at 2:15 Wednesday afternoons on the blue network (WJZ). Marjorie Hurtubise, who handles it, is a monologist billed by the network as a 'young Ruth Draper.'

On the basis of last week's (19) edition, 'Literature' is listenable and fairly informative, but contains several disturbing flaws. Miss Hurtubise is an expert actress, but her writing is uneven. Possibly she tries to cover too much ground in each show. Or her combination of narration-dramatization-discussion may be too involved for easy clarity.

Whatever the reason, none of the three books she monologs on each program emerges with sufficient definition. Subjects on the stanza caught included William Saroyan's 'My Name Is Aram,' Virginia Woolf's 'The Years' and Jack Iams' 'Countess to Boot.' Miss Hurtubise dramatized a brief passage from and devoted a broad appraisal to each. But she didn't clearly enough explain or emphasize their titles, authors' names, classifications (novel, short story, biography and so on), and she failed to offer a critical estimate of their merit. As a kind of postscript, she gave a plug of 'Aftermath,' the latest volume in the 'Men of Good Will' series by Jules Romains.

Despite its shortcomings, however, 'Literature' has definite merits and, considering Miss Hurtubise's reputed limited radio experience, should ultimately be an entertaining, provocative show. *Hobe.*

LEWIS CASSON
'Curtain Up'
45 mins.
Friday, 7:40 p.m.
BBC, London

To actor-producer Lewis Casson falls this series of talks about the theatre and descriptive excerpts from stage plays. Lecture hall atmosphere and length, 45 minutes, makes 'educational' theme unlikely to hold them.

Partnering Frank O'Connor, one-time director of Abbey Theatre, Dublin, Casson Skilifully selected passages from plays to carry his opinions, using snatches from 'MacBeth,' Coward's 'Private Lives' and 'Peer Gynt.' Actor saw his fellow thesps as mainly responsible for unfortunate divorce of play from the audience, thus inculcating dialog with themselves as performers rather than interpreters.

Though decrying vocal defects in modern players, Casson was himself guilty of gabbling in the straight talk. Difference was marked when he stepped into character for presenting Shakespeare and Ibsen.

Series is to run 12 weeks with O'Connor on first six interviewing critics, producers, actors lined up to divulge theatrical secrets and errors.

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A Fort Industry Market

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EARS
HAVE IT!
★ ★ ★ ★
More Than A
MILLION
"Buying Ears"
Are In Tune With
WAGA
and
WAGA
Has Them By The
EARS!
★ ★ ★ ★
Place Your Message On The
"Eardrum Route"
By Buying A
MILLION
"Buying Ears"
★ ★ ★ ★
SERVICE AREA

Population	645,065
Families	150,902
Radio Homes	104,230

A FORT INDUSTRY STATION
WAGA

THE MOYLAN SISTERS, who harmonize for Thrivo Dog Food have the *highest rating of any program* from 5:00 to 5:15 Sunday afternoons—higher than the *combined* rating of all competing network shows in the cities where their program is released.

OLIVIO SANTORO, the boy yodeler, on the air for Philadelphia Scrapple, also beats all competition, with the *highest rating of any program heard from 5:15 to 5:30 Sunday afternoons* in these cities—higher than its *combined* network competition.

And a Little Child DOES Lead them.. on Sunday Afternoons

IF YOU WANT PROOF that the Blue Network produces sales thru the air with the greatest of ease, the recent and continual renewals of these programs should settle your mind.

IF YOU WANT PROOF that the Blue Network gives advertisers coverage at the lowest cost of any medium entering American homes, these two advertisers with a modest budget are providing it right now.

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IF YOU WANT PROOF that you can afford to buy Blue, just remember that only $42,375.06 will buy 15 minutes over 95 Blue stations, coast-to-coast, on Sunday afternoons for 13 weeks. And $28,250.04 will foot the bill for the same facilities on any one of the other six days for 13 weeks. Remember also, that the famous Blue Network Discount Plan enables your network to expand with your budget. Your Blue salesman will be glad to tell you about other attractive Blue buys.

NATIONAL BROADCASTING COMPANY
A Service of the Radio Corporation of America

THE Blue NETWORK OF NBC

Sales thru the air with the greatest of ease

SARAH CHURCHILL
With Vic Oliver
Saturday, 9:40 p.m.
BBC, London

Vic Oliver, the comedian, is also famous as the husband of one of Prime Minister Churchill's three daughters. It adds a touch of the piquant to have Sarah Churchill on the BBC acting a role midway between a stooge and an interested onlooker as her hubby plays around with a violin (too well for a comedian) and then the Prime Minister's daughter adds a scene from 'Idiot's Delight' in which the pair have toured the English sticks.

It's all pretty democratic, if anybody brings up the point nowadays.

JACK MITCHELL
Sidewalk Quiz
15 Mins.—Local
GEBHARDT'S CHILE POWDER CO.
M-W-F, 12:30 p.m.
KTSA, San Antonio

Chile company was steady user of radio in old days. Returns to KTSA with 'man-in-the-street' series of Jack Mitchell.

Handled in front of the Gunter hotel on the busiest corner in the city. To person correctly answering question goes pass to a local show, together with a package of sponsor's product.

Commercial copy is read by Frank Stewart in the studio, with several plugs also from the street by Mitchell. *Andy.*

'RAISING A PRESIDENT'
With Katharine Lenroot
15 Mins.
Sustaining
Wednesday, 2 p.m.
WJZ-NBC, New York

This 'public service' series is presented by the NBC Women's Division in co-operation with the Children's Bureau of the U. S. Department of Labor. It's a combination dramatic and discussion show about child welfare, education and training and its origination is split between New York and Washington. Hardly entertainment in the customary sense, it's still an interesting and enlightening stanza.

Edition caught Wednesday (19) dealt with children of migrant families. First part was a dramatic sketch about a family in a migrant camp and, within the time limitations, eloquently projected the tragic difficulties confronting such people. Program then broke to Washington for a confab about what the Government is doing to handle the situation. Speakers were Katharine Lenroot, chief of the Labor Department's Children's Bureau, and Ewan Clague, chief of the Social Security Board's Bureau of Employment Service. Miss Lenroot is a regular on the series. Clague was the guest for the occasion. Series is produced by Fred Weihe. Ruth Sadler wrote this script and does most of the others. *Hobe.*

PEGGY STOKES
'Women and the News'
15 Mins.—Local
Sustaining
Daily, 9:15 a.m.
WGY, Schenectady

Peggy Stokes, with experience in vaudeville, night clubs, summer stock and radio (WHN, before coming to Schenectady), is doing a 'Women and the News' quarter hour on WGY, unusual for fact it plays up information on contests and give-aways featured via "commercials over the station. Miss Stokes tabs the various offers, programs on which they are made, and time of broadcasts. Tickets them, in the morning, for that day. It is first time any regularly-presented block hereabouts has plugged prizes and offers aired on other stanzas. As such, it ought to be welcomed by agencies-sponsors.

Miss Stokes also reports human interest stories, elopements and marriages of film stars, stage-musical world developments, and the like, in which women figure. This is apparently press association stuff. Too, she discusses styles, decorations, etc. Miss Stokes sounds youthful, chatty, modest. Delivery is sometimes a bit choppy. From a professional viewpoint her mike technique could be improved, although perhaps she is deliberately sticking to a 'natural' style. *Jaco.*

'FIRST PIANO QUARTET'
With Adam Geibtrunk, Hans Horwitz, Vladimir Padva, George Robert
15 Mins.
Sustaining
Monday, 10:15 p. m.
WJZ-NBC, New York

New four-piano team has done only a handful of shows and is still being shuffled around the board without a regular spot. Currently scheduled at 10:15 p. m. Mondays, it also is heard occasionally at 10:45 p. m. Thursdays, where it was caught recently (20). Edwin Fadiman, brother of Clifton Fadiman, is agent for the group and billed by NBC as producer of the program.

Crew is referred to on the air as the 'First Piano Quartet,' and the presentation is called 'studies in black and white.' Limited at present to the few existing compositions for four pianos, the group will have to build up a library of arrangements of all sorts of classical selections, from symphonies and opera to short sketches, etudes, etc. Now play only classical stuff, which is okay if they keep the arrangements as striking as when heard. Doubtful if such a series could ever build a really large following, but if given a good regular spot and a strong repertoire, the outfit has the playing skill to draw a steady audience. 'Gene Hamilton is announcer. *Hobe.*

MRS. JOHN B. BRINKLEY
Medico Spiel
XERA, Villa Acuna, Mexico

After Doc Brinkley himself, the next most remarkable personality of Mexican border broadcasting has been Mrs. Doc Brinkley. She can be heard nightly on the 180,000-watt shooter across the line from Del Rio, Texas. Ma Brinkley dishes it plain. No timidity cramps her style. She discusses the famous Brinkley prostate operation 'for men' with that offhand familiarity that the Brinkleys have ever practiced (and brought their son up to do the same, Junior being able to handle the medical terms without stumbling over a syllable or a hemorrhage).

Just now it appears that XERA has got the middle valve latched down, for the juice glant is pounding into the northeast with the force of a locomotive. And there is, in addition to this possible step-up in power, a drive on for fan mail. Th doc is giving away a free prostate operation to the man writing the most interesting letter on 'Why I Consider Good Health Important,' and all letters (and patients?) become the property of the Brinkley hospital on the second floor of the Hotel Roswell at Del Rio, Texas. This offer may be withdrawn March 15, so hurry, hurry, hurry. Bring your wife with you for the international travel possibilities.

Mrs. Brinkley defers at one point to a male announcer. He is simply a change of voice, not of message. It's straight pounding all the way. 'Come and learn the truth.' Enjoy the 'home-like comfort at the Brinkley hospital.' Stop getting up nights. And 'don't get the idea, you men between 20 and 40, that your prostate is all right.'

The Doc has lately moved back to Del Rio, washing up in his second home, Little Rock, Arkansas. He is meantime taking the bankruptcy cure himself in the Federal sanitarium in San Antonio. Whether he is anticipating an outbreak of Mexican fever that may cost him his station (after the March 29 international wavelength switch and other impending complications) cannot be stated, because nobody can predict the doc's capacity for resistance. But, meantime, XERA is apparently putting a little more than ordinary salesmanship into the Brinkley high pitch.

The Brinkley broadcasts remain as always one of the genuinely incredible phenomena of radio. You literally cannot believe your own ears. *Land.*

TED COOK
Commentary
15 Mins.—Local
SONTAG DRUG STORES
Daily, 9 P.M.
KFI, Los Angeles
(Robert Smith)

For 16 years Ted Cook's 'Cook-Coos' column was syndicated to the Hearst string of sheets. Like most humorists he likes to talk about serious things. His pillar yanked some months ago, Cook saw a chance to indulge his predilection when approached for a commentary job by friends in radio. Knowing something of his background as a newspaperman and the value of his name hereabouts, the Sontag boys, who operate more drug stores than any other chain in the west, decided to go all-out with him for a 13-week sampling. Once over his mike shyness Cook should prove an asset to the outfit.

After briefly introducing himself as the author of 5,000 columns and a 'fugitive from a squirrel cage,' Cook goes serious rest of the way. 'There are too many comedians on the air already,' he says, 'so my job will be one of straight reporting what goes on in this greatest blood and thunder melodrama the world has ever known.' For his opener he had a terrific scoop, giving out with the first details of the Douglas mysterious bomber, B-19. Ship five years in the making is now ready for its test flight. He revealed such staggering facts that it can travel 7,000 miles non-stop, carries as much fuel as a tank car and transport 120 men. The natives have long heard about this mystery ship and this was their first info on the flying fortress.

He rounded out his opener with comment and anecdote on subjects touching on the unpleasantness abroad. Once on friendlier terms with the microphone and on firmer footing he will undoubtedly whip up a following as legion as those who used to ride along with his pillar of fun. *Helm.*

OLIVER WAKEFIELD
Saturday, 8 p.m.
BBC, London

As the 'Voice of Inexperience' Wakefield is registering here with his unfinished symphonies of speech. A deal of perception continues to shove through the laugh-getting. Here he dithered along with some delicate ribbing of show biz personalities in the news, a sort of graded debunking of much of their finery. There have been occasions when this experimenting fails to connect, and the stuff missing the laugh must make him wince. He succeeded here as a smart performer.

It would seem that working with a large audience aids him a lot. His straight studio chore in 'Piccadixie,' a midweek musical airing, is not as closely knit.

WILL YOU SELL IT?

IF ALL the boxtops from all the cereals sold every year in the rich Money Belt area were laid end to end . . . it'd make a whiz of a contest to judge!

But there's no contest over the fact that the one best medium that helps sell that breakfast food, and much of the billion-and-a-half dollars worth of other commodities, is the four-way voice of America's Money Belt . . . The Cowles Stations.

Furnishing the breakfast entertainment —as well as the breakfast — for a big part of the six million folks in the Money Belt, is quite a job . . . but The Cowles Stations do it every day. They can do a record selling job for you, too. Shoot them "25 additional words or less" today — and get all the facts.

WHICH OF THESE DO YOU SELL?

Estimated Annual Retail Sales in "America's Money Belt"

Canned Fish	$10,000,000
All Cereals	21,000,000
Canned Milk	27,000,000
Flour	64,000,000
Shortenings (Vegetable and Salad Oils)—not including lard	31,000,000
All Perfumes and Cosmetics	17,000,000
All Soaps	39,000,000
All Canned Fruit and Vegetables	47,000,000
Tobacco	85,000,000

The Cowles Stations

WMT ★ CEDAR RAPIDS WATERLOO
KRNT ★ DES MOINES
KSO ★ DES MOINES
WNAX ★ YANKTON SIOUX CITY

WMT KRNT KSO WNAX

Affiliated with THE REGISTER AND TRIBUNE, Des Moines, Iowa

Represented Nationally by THE KATZ AGENCY

'OF HUMAN BONDAGE'
With Somerset Maugham, Jessica Tandy, Raymond Edward Johnson, Burford Hampden, Jill Esmond, Kingsley Colton, John Brewster, William Johnstone, Eustace Wyatt, Jimmy McCallion, Nelson Case
Transcription
15 Mins.
WHEATENA
Daily, 12 noon
WEAF, New York
(Compton)

Somerset Maugham's powerful novel, 'Of Human Bondage,' which made a memorable picture and has been done several times on the air, started its most ambitious radio presentation Monday (24) as the sixth drama in the recorded 'Wheatena Playhouse' series. It will run five weeks, thereby covering the story in full.

As with the other plays of the 'Wheatena' series, the program is package-produced by Wolf Associates for the Compton agency, with Carlo DeAngelo directing, from an adaptation by Herbert Little, Jr., and David Victor. Novelist Maugham appeared on the debut chapter to express 'pride and pleasure' that the work is being thus used. He revealed a marked English accent, smooth delivery and attractive air personality.

Program started out to do it the hard way. It made little concession to mentally immature audiences in its bid for popularity. Using the first-person narrative and flashback technique of the book, it started slowly, barely touching the edges of the main plot in this first installment. However, any dialer with even a trace of sensitiveness and imagination must have found its treatment of the hero's tragedy intensely moving. And by telling the yarn in unusually short scenes it achieved the effect of rapid pace.

Raymond Edward Johnson was properly low-keyed and intense as the adult hero, while Jessica Tandy, making her commercial radio debut, registered forcefully in the few lines available in this chapter. Burford Hampden is to play the hero's friend and Jill Esmond will portray the nice girl, the principal supporting roles, in succeeding stanzas. Other parts are less important. Hobe.

'PEOPLE WITH LIGHT COMING OUT OF THEM'
With Burgess Meredith, John Garfield, Nancy Kelly, Eduardo Ciannelli, Edmund Gwenn, Tim Holt, William Tracy, Clinton Rosamund, Leith Stevens
30 Mins.
Sustaining
Sunday, 2 p. m.
WABC-CBS, New York

This ebullient William Saroyan sketch, 'People with Light Coming Out of Them,' was aired Sunday (23) afternoon as the first of 13 half-hour sustainers on CBS by The Free Company, a group of writers, actors and directors who hope to stimulate an 'appreciation of American liberty' and show the 'meaning of freedom.' Subsequent programs will be by such authors as Robert E. Sherwood, Maxwell Anderson, Orson Welles, Norman Corwin and Marc Connelly.

Either as entertainment or prodemocracy propaganda, 'People with Light Coming Out of Them' was commonplace. Cast, including such names as Burgess Meredith, John Garfield, Nancy Kelly and the others, should have drawn a sizable audience, but there was nothing but Saroyan's characteristic warmth for his fellow-humans to show the millions of listeners throughout the country why his is such a name in the theatre and fiction. Actually, it was little more than a rewrite of his 'Time of Your Life,' only not as pungent, or witty, or humorous.

Where 'Time of Your Life' deals with the colorful characters who drift in and out of a San Francisco waterfront saloon, 'People with Light' concerned a quixotic kind of painter who merely talked to the people in his block in a mythical American town. They were of all nationalities and followed various occupations. But since Saroyan was the author, all were friendly, tolerant, warm hearted and had a child-like innocence. They are, said Saroyan, the 'people with light coming out of them,' the free, simple, generous, good, human people—in short, Americans. For America, he asserted, is a happy nation, a free nation whose people love, not hate—a nation of human people.

As in so much of Saroyan's writing, the piece ignored the technical requirements of the medium. Thus, it created a mood, or feeling, but it was vague and inconclusive and squandered the opportunities of the microphone. Norman Corwin's direction pulled the script together considerably, heightening atmosphere and color and giving expressive pace. But Meredith could do little with the incidental part of the narrator, whose function was usurped by Garfield's part as the painter-interviewer-protagonist. Others were varyingly effective, but all remained Saroyan. Leith Stevens composed and conducted the background and bridge music. Charles Vanda was producer.

Show was short-waved to South America, which must have given the sub-Equator citizenry something to ponder. Hobe.

'LAVENDER AND NEW LACE'
With Sylvia Marlowe, Joan Brooks, Felix Knight, Glenn Riggs
15 Mins.
Sustaining
Sunday, 3:30 p.m.
WEAF-NBC, New York

Old-fashioned classic and modern swing are facetiously blended in this 15-minute Sunday afternoon music series. It's expertly presented and moderately amusing. Should also fit acceptably into the schedule, being an agreeable contrast to the concurrent Philharmonic-Symphony concert on CBS and the 'Great Plays' series on WJZ-NBC. 'Lavender and New Lace' is a novelty, but not entirely new. 'Music for Moderns,' formerly pumped to the same network earlier Sunday afternoons from KYW, Philadelphia, was vaguely similar in flavor, while the goofy poetic announcements have been used by Milt Herth and various others. Still, this is a diverting show—and neatly titled.

Sylvia Marlowe's semi-classic, semi-swing harpsichord music provides the backbone of the show. It's knockout. Joan Brooks croons simmering pop tunes, while Felix Knight clicks with old-fashioned ballads. Glenn Riggs reads the rhymed announcements scripted by Edward Birnbryer, each with a comic tag. William Wilgus is producer-director. Hobe.

'FROM ME TO YOU'
With Maxine Keith
15 Mins.—Local
Sustaining
Daily, 10:15 a.m.
WINS, New York

A vet radio emoter, Maxine Keith, is doing about the usual femme chatter on this six-mornings-weekly 'From Me to You' series. She touches a wide assortment of subjects, treating them with amiable informality. Is a ready talker, with an easy delivery and a definite New Yorkish accent.

Novel angle on the show is that she invites listeners to phone her at the studio and make arrangements to attend her 'Second Breakfast Club.' Those who do so will participate in the show and have a bite afterward. It sounds as if it might provide some intriguing programs.

When caught Wednesday (19), Miss Keith spoke briefly about the question of padded versus sloping shoulder styles, told about attending a consumer exhibit and meeting her femme broadcast rival Bessie Beattie, of Mutual, then described a tea she had attended. There's a recorded musical break at the show's half-way point. Program sounds as if it might be rather listenable for femme dialers. Hobe.

ALBANY TOWN MEETING OF THE AIR
60 Mins.—Local
Sustaining
Monday, 9 p.m.
WABY, Albany

New program, heard every other week, is a local version of NBC's Town Hall of the Air. Comparisons with latter may not be entirely fair, but they are perhaps inevitable. The more so because WABY until recently carried web show and made much of it.

Albany Meeting has one golden advantage—plenty of time for questions. Guest talkers here are not as well known nor as dynamic as those on the network show. Visual audience is small and very polite. There is none of the booing, little of rude interruptions, none of frayed tempers, little of rough-tumble which usually makes NBC Town Hall so dramatic, so significant an expression of democracy in operation. Finally, local feature has not a moderator with experience and showmanship of George V. Denny. However, Glenn H. Jackson, of State Social Welfare Department, handles assignment fairly well. Jaco.

Howell Cullinane clicked off 14 years on air (15) as newscaster for Boston Herald-Traveler over WEEI.

'STORIES BY OLMSTEAD'
With Nelson Olmstead
15 Mins.
Sustaining
M-W-F, 10 p.m.
WJZ-NBC, New York

Here's an example of skillful use of fundamentals. Without using dramatizations, musical backgrounds or sound effects, and avoiding anything in the way of heavy emoting, Nelson Olmstead merely reads a story. He uses a straight-away delivery and a conversational, though expressive, tone. But he selects good stories and the result is an absorbing 15 minutes.

Yarn on the edition caught Tuesday (18) night was Edward Everett Hale's minor classic, 'The Man Without a Country.' Show opened with a simple announcement, followed by a couple of bars of orchestral music for atmosphere and then the unadorned story. Being completely undiluted, its effectiveness hinged solely on the story itself. And since 'Man Without a Country' is time-proven, it held attention.

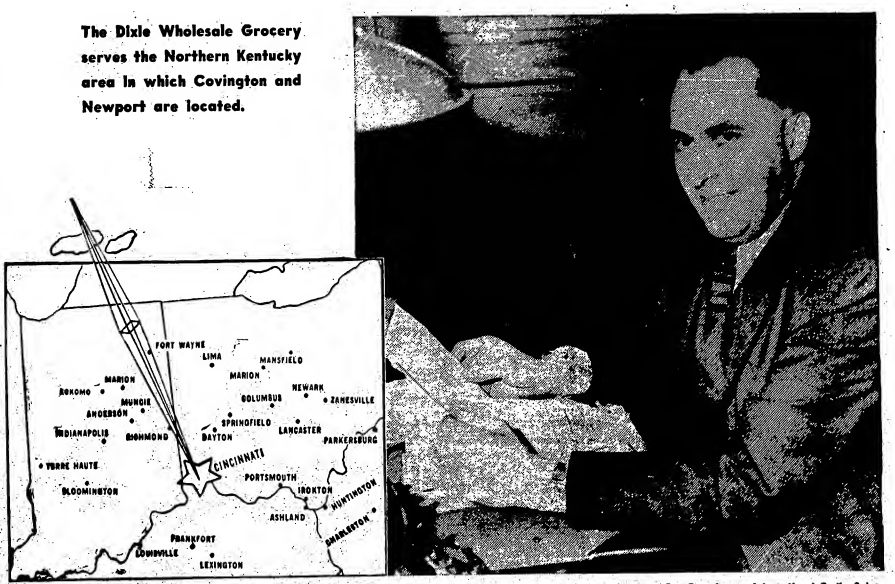
Olmstead is a former announcer and amateur actor who brought this story idea to NBC from Texas radio. It now originates in Chicago, and, considering its obviously modest production expense, should be a natural for sponsorship. Hobe.

GROCERS CAPITALIZE ON SALES OPPORTUNITIES OF WLW-ADVERTISED BRANDS

"We find a steady year-round movement on products advertised over WLW, the Nation's Station. By tying-in with WLW's complete merchandising service we, as well as our customers, are able to capitalize on the sales opportunities offered by these staple brands."

(Signed): Charles Mescher, *President*
Dixie Wholesale Grocery, Inc.
Covington, Kentucky

The Dixie Wholesale Grocery serves the Northern Kentucky area in which Covington and Newport are located.



REPRESENTATIVES: New York — Transamerican Broadcasting & Television Corp. Chicago — WLW, 230 N. Michigan Avenue. San Francisco — International Radio Sales.

WLW THE NATION'S *most Merchandise-able* STATION

'DEFENSE FOR AMERICA'
With Laurence Hammond, Graham MacNamee
Talk, Music
30 Mins.
Sustaining
Saturday, 7 p.m.
WEAF-NBC, New York

NBC has no easy task in making this specie of 'reports to the nation' interesting, but it may be credited with going at the project with the utmost simplicity and clarity. Those responsible for this weekly documentary program have refrained from cluttering up the proceedings with Greek choruses and dramatic interpolations. The story of America's efforts of defense production is told in straight fashion, told by those who work at it; the manufacturer, the executive, the foreman, the skilled worker, the apprentice. Statistics are tossed off but only on occasion and to round out a point.

For the initial broadcast the originating point selected was Cleveland, an important link in the machine tool industry. Most of the program came from the ballroom of a local hotel. The attending hoopla was dignified and in effective keeping with the event. The audience opened the program with the singing of the national anthem and between times a brass band and a local glee club cut in with patriotic numbers. It was all neatly carried off in the American town hall tradition. The mayor of Cleveland pledged the town's industry to do everything to rush the defense program and there followed a succession of manufacturers, mechanics, etc., each quizzed by Laurence Hammond, writer of the series. Further interviews were picked up from humming factories, with no little human interest imparted by the narrative of father, son and nephew jointly employed as mechanics in the shop where the father started 31 years ago. The woman angle got in via few words by the former's wife.

NBC is preparing these programs with the cooperation of the National Association of Manufacturers, with Charles Speer functioning as advance man on the series. *Odec.*

'EASY STEPPERS'
With Crystal Springs Ramblers (7), Desert Drifters (3), Charley Meade
15 Mins.—Regional
SEIBERLING RUBBER CO.
M-W-F, 7:45 a.m.
KABC-TSN, San Antonio
(Meldrum & Fewsmith)

From Fort Worth comes this opus fed to 15 TSN stations in behalf of Adjusto-Wear Rubber Heels. It's conventional hill-billy fiddlin' and songs of the cattle-and-range country. It's corny, good-humored, and peppy.

'Crystal City Ramblers' is directed by Babe Cunningham. A seven-piece combo with Poppa Sam as manager and owner and the son as director. The Desert Drifters' comprise Nick Nickols on the mandolin, Doc Embree on guitar, and his wife Ester Gibson doing vocals and guitar.

Commercial copy not too verbose. Ably handled by Charley Meade, who also ably keeps the program moving along at a brisk pace. *Andy.*

'WAR LETTERS FROM BRITAIN'
With Jessie Royce Landis
15 Mins.—Local
Sustaining
Tuesday, 9:15 p.m.
WMCA, New York

These letters from Britain, written by people living right on the front porch of the battle zone, presented in dramatic vein by a new guest performer each week, are just about as profoundly stirring as anything heard on the air since the Battle of Britain started.

There's undoubtedly a tendency towards over-elaboration from the production angle. But if, as was most likely the case, this program was designed to clutch at the heart of the average listener, if it was intended to convey the pathos, the poignancy, the fantastic, almost unreal tragedy which has befallen the peoples of Europe, then it serves its purpose well. It packs a sentimental wallop.

Stanza caught, second of the series, had Jessie Royce Landis as the letter-reader. Following opening and introduction, program leads into a 'Prayer for England,' written by William Rose Benet, American poet. 'Tonight and every night, God save England' is the motif.

'War Letters from Britain' is based on a collection of letters published in book form under the same title. The radio adaptation was written by Lynne Thompson. Miss Landis' interpretation was notable for restraint and precision that made it all the more impressive. Conclusion of program brings an appeal to send $1 to the British War Relief for a Badge of Sympathy for beleaguered Britons. Show is presented by British War Relief in collaboration with Current History magazine. *Mori.*

JUVENILE JAMBOREE
With Hal Kent, St. John's Band
30 Mins.—Local
NATIONAL BISCUIT CO.
Saturday, 9:30 a.m.
WGY, Schenectady

WGY's Juvenile Jamboree, broadcast for years on Saturday morning, has finally grabbed a sponsor of a nationally-advertised product, National Biscuit bread. Switch to commercial basis, however, does not seem to have brought marked improvement. Dramatic interlude—acting of brief scenes from children's classics and even from Shakespeare, under direction of Mrs. Florence Sanford—apparently has been dropped. This despite fact it was the part which had unusual touch. In radio, particularly local, kids often do a better job of acting than of singing. One, though not only, reason is they and/or their fond parents tend to insist on unsuitable numbers. For instance, first bit on salvo heard was a 14-year-old boy tenoring 'You're the One.' Voice sounded rather good, but selection inappropriately mushy for a lad.

Following him were youngsters reciting and warbling. Also a three-some dancing in close unison (better for visual than aural); a trio of instrumental swingsters (Sonny Salad, ticketing number, might be given a bigger assignment), and Stephen St. John's banjo-guitar band. Latter could be used more; in fact, greater emphasis placed on instrumental end. *Jaco.*

Follow-Up Comment

Eddie Cantor piled up lots of giggles on his program last week. The baby-tending routine was developed for both amusing running comment and for a clever tune-in-next-week-to-find-out teaser at the end. Bert Gordon, the Voice of Experience (Sayle Taylor), Harry Von Zell and Dinah Shore were all employed in the gagging. Half hour had solid gear-meshing pickup from beginning to mounting finish.

'Inner Sanctum Mystery' hasn't improved since its faltering start a few weeks ago. Heard Tuesday (18) night, the series offered 'The Case of the Strangled Snake,' pitifully spurious whodunit by Frank Gould. Scripting was pretentious and clumsy, production and direction were inept and the acting, except for Myron McCormick's vibrantly direct performance as the detective, were hoke-bound. Carter's Little Liver Pills commercials were broad, but unobjectionably worded.

Henry Bell's orchestra, with Mary Murphy as vocalist is broadcasting on Mutual coast-to-coasters from WARM, Scranton. Band, led by the trumpet-playing Bell, turned out a half hour of dance music that sounded fairly smooth and listenable, for a studio origination, on one half-hour shot. It covered a lot of ground in that time. Time outs for number tabbings (by Al Barton) were so brief dialers might have thought broadcast was a remote controler. Orchestra leaned toward sweet rather than swing; rhumba included, as well as several medleys.

Susan Thorne, nine-year-old former Viennese actress who arrived recently from England, made her network debut Friday (21) on two commercial serials. She had an English accent in the morning on 'Against the Storm' and used a slightly Teutonic one in the afternoon on 'Hilltop House.' Heard on the latter show, she gave an expressive performance and revealed a striking mike personality for a child.

Chateau Martin's recorded musical spot announcements, with the phony-accented 'Gaston' (Irving Kaufman?), are admittedly just about the corniest bit of commercial showmanship on the air. Usually they're so hokey they're funny, but occasionally they're embarrassingly out of place. Instance of that kind occurred Tuesday (18) night on WMCA, New York. Wine plug came immediately after the 'War Letters from Britain' program. Was rude contrast to the poignant tragedy of blood and tears and sweat of an aged English couple's flight from France. Seemed unfortunate judgment or oversight, for the station to place the blurb just there.

Tito Guizar was heard Sunday on CBS for the Libby-Owens-Ford Glass program, 'Design for Happiness.' The tenor has a small lyric voice with pleasing quality that has been exceptionally well trained, but by nature it is short in the top register, with 'A' natural apparently his limit. Above the staff it becomes white and he has a tendency to slide into a full head falsetto which would be inaudible anywhere but on the radio, and even there lacks body and resonance. Selections were 'Amapola,' 'I Hear a Rhapsody,' sung in English, with the diction sounding strikingly that of Tito Schipa, and 'El Rancho Grande,' the last of which was the only click in the group, and that put over by artistry, not vocal prowess. Orchestral selections wasted the famous Woman's Symphony on such hackneyed stuff as 'Andalusia,' 'Listen to the Mocking Bird,' the overture to 'Merry Wives of Windsor,' and a fantasia on Puccini themes. Commercials by John McCormack did not have much punch.

Mark Ethridge, newspaperman and occasional radio biz spokesman, introduced the theme of 'southern persecution by the north' in a broadcast from Birmingham last Thursday on NBC. It was the first of six out-of-town forums by Town Hall and with Town Hall's moderator, George Denny, presiding. Erskine Caldwell, the novelist, was rather inclined to see the Ethridge argument as 'an excuse of professional southerners, especially publishers and politicians, to alibi their own failures to improve conditions in the south.' Without entering into the merits of the discussion, it rang through the air with plenty of zing. The north-south subject was treated with unexpected vigor and frankness. Ethridge, as a radio-experienced speaker, was forthright and vigorous, but Caldwell groped for words badly, considering he's a professional writer.

WTRY, Troy, which recently went full time, is slated to join the NBC blue about April 1. Harry C. Wilder's station has had no web connection, since it hit the air last April, except for a limited number of broadcasts, at one time, from the New York Broadcasting System.

'WYCKOFF-SEARS VARIETY HOUR'
With Fran Shinn, E. H. Wyckoff, Ken Hockman, Girls Glee Club, John McConnell's orch.
60 Mins.—Local
WYCKOFF DEPT. STORE
Saturday, 11 p.m.
WEST, Easton, Pa.

This variety hour is sponsored by the A. B. Wyckoff, Inc., dept. store in Stroudsburg, Pa., authorized selling agent for Sears, Roebuck & Co.—hence the hyphenated titled—and is used mainly to plug the local store and its two branches in Newton and Hackettstown, N. J. The program originates in the store's third-floor studio and takes the air 30 miles away via WEST, Easton, Pa.

Talent varies from week to week with the exception of announcer Fran Shinn, affiliated with NBC in New York, and the store's manager and founder's son, E. H. Wyckoff. (Program started in 1939.)

'The Largest Small-Town Store in the State' is an old slogan of the store. It could be applied to its radio program; the largest small-town program in the state. It's doubtful whether any other town of its size in the entire country, for that matter, offers a full hour of such diversified entertainment.

With little attention to showmanship, it's a 'folksy' program, and parts of it should appeal to everyone within earshot. A brief devotional period is included with a representative of the various denominations officiating. The musical interludes are usually supplied by a local organization. When caught, the Stroudsburg high school girls glee club rendered several selections, evidencing training. John McConnell's orchestra filled in nicely, and although a bit heavy on the brass, should improve with use.

E. H. Wyckoff, with Ken Heckman's piano background, felicitated various persons whose birthdays or other anniversaries occurred on the day of the program. His son, William Wyckoff, store buyer, presented several department heads with up-to-the-minute shopping values. Accordionist Pleviak Anthony of the local Teachers college, was plausible entertainment with several well-played numbers. Plugs for other local merchants, changing from week to week, scattered throughout the program, reflects a happy community atmosphere, although some of the plugs are a bit lengthy. Announcer Shinn works hard in sustaining the pace of the program and turns in a creditable job. It's strictly a happy family show and everyone connected with it seems to have a happy time. *Jaye.*

'WE ARE ALWAYS YOUNG'
With William Janney, Linda Watkins, Margalo Gillmore, Jessie Royce Landis
15 Mins.
Sustaining
Daily, 1 p.m.
WOR-Mutual, New York

As a pitch for some of the lucrative income from the serial field, Mutual has launched a group of daytime strip shows, of which this 'We Are Always Young' is the contribution of WOR, New York. It hit the ozone Monday (24) in the 1 p.m. lead-off spot, with three additional stanzas produced by other Mutual affiliates rounding out the full-hour block. 'Young' is produced-directed by Robert Louis Shayon from scripts by Ashley Buck and Nicholas Cosentino.

Judged on the necessarily inconclusive initial chapter, 'Young' seems a promising serial bet, particularly with the cast of William Janney, Linda Watkins, Margalo Gillmore and Jessie Royce Landis, all of whom are semi-names in either films or legit and at least moderately known in radio. Story about a serious composer who is working as a cab driver because he's been unable to win recognition with his music has the basic stuff for mass appeal. Other characters are a femme hatcheck operator, her nitery singer daughter and the sinister 'other woman.' Latter appears to be a missing element in the hero's mysterious past. Writing so far has pace, atmosphere, characterization and fairly potent dialog. There's considerably more action than in most daytimers, if that's any recommendation.

Shayon's direction is firm, while the four principals all give deft performances. Casting is excellent, as the three femme voices are all easily distinguishable. *Hobe.*

ANN DVORAK
Interview
Five mins.
Saturday, 7 p.m.
BBC, London

Filmite stepped into 'In Town Tonight' as have so many Hollywoodites when reaching London. Except she's probably the first to find BBC in the Blackout and under the blitz. The former seemed to amaze her more than the plane warfare. Actress explained her presence here simply, centering motive of joining husband Leslie Fenton who's directing pictures on this side. Although agreeing she may do some film work in British product, actress has a newspaper tie-up and will do a series of impressions for U. S. femme readers. This last was pointed up as her main interest.

Asked to comment on Hollywood goings on, actress waved a flag for Alan Mowbray and his Coast work for Britain.

'MOSAICS IN MUSIC'
With Louie Buck, Pietro Brescia's Orchestra
15 Mins.—Local
Sustaining
Tuesday, 6:30 p.m.
WSM, Nashville.

Best description of this show is that it is a picture in words and music. Writer Louie Buck narrates a scene and Pietro Brescia composes original music to paint the scene. The music is written in semi-classical style, and the show appeals to both music lovers and persons desiring radio monologs.

This program will in all probability be fed to NBC when the ban on sustaining shows from the outlets is lifted by NBC.

Theme of the programs is a single idea instead of a complete story. Buck's gab is delivered in good narrating style.

'9:40 SHOPPERS' CLUB'
With Arlene Francis, Lawson Zerbe
5 Mins.—Local
R. H. MACY
Daily, 9:40 a.m.
WOR, New York
(Young & Rubicam)

Arlene Francis and Lawson Zerbe, two of AFRA's busiest emoters, are busier than ever with this six-a-week five-minute dramatized commercial about bargains at Macy's New York department store. There's so much wordage crowded into the capsule program that they have to rattle it off at top speed to cram all the blurbs in. They alternate with short, snappy speeches. Pair are among the best syllable tossers in radio, but even they find the pace taxing. Whether the listener will get more than a confused, fleeting impression from the show would therefore seem problematical.

When heard Monday (24) morning, the stanza included plugs for reduced-price sales of silk fabrics, wool jackets and overalls for youngsters, bed-pillows and Chinese rugs, covering a price range from a couple of dollars to several hundred dollars. At one point Miss Francis was hurrying so much to pick up her cue that she stepped on one of Zerbe's lines. But she skillfully turned it into a dividend commercial by apologizing, 'Sorry; I almost interrupted, because I'm so excited over these prices.' After a solid plug for each item in the sales, Miss Francis and Zerbe summarize them all and wind up with a mention of Macy's cash payment plan.

By that time even the dialer is out of breath. *Hobe.*

'ODD SIDE OF THE NEWS'
With Charles Stark
5 Mins.—Local
GROVE LABORATORIES
M-W-F, 8:25 a.m.
WABC, New York

Trivial novelties in the news are capably selected and scripted for this three-a-week series aimed to catch the housefrau (and maybe a tardy spouse or child) at the breakfast table. Charles Stark reads the items, which are all pungent and have an amusing slant. Brevity of the writing makes possible a surprising number of squibs.

There are two lavish, but carefully-worded plugs for Grove's Bromo-Quinine tablets, plus a sponsor-identification at the close. Heard only locally via WABC, New York, it is a meritorious show for the apparent investment. *Hobe.*

"Which Southern California radio station is doing the biggest job of moving grocery items off your shelves?"

We put the question to Gilbert Carrasco of the G & M Super-Market in Santa Barbara, 85 miles north of Los Angeles, and like most men on the Southern California retail sales front, Mr. Carrasco answers "KNX!"

"When things are advertised on KNX we feel it here in the store. Customers begin asking about them," he said.

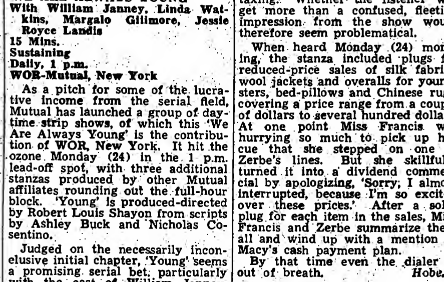
KNX LOS ANGELES

Southern California retailers recognize KNX as their most potent sales-building factor. Naturally, the tune-in choice of most Southern Californians is the choice of retailers for its power to move merchandise

50,000 WATTS

COLUMBIA'S STATION FOR ALL SOUTHERN CALIFORNIA

Owned and Operated by the Columbia Broadcasting System • Represented by RADIO SALES



HUNTLEY HAS HIS HUNCHES

If it isn't psychological it isn't dramatic. That's about the way Leston Huntley looks at it. As the author of two daytime serials, he bases his scripts on psychological theory. What's more, he governs his business and personal affairs according to psychological doctrine. He figures everything out that way.

There are widely different opinions in radio circles about Huntley's preoccupation with psychological beliefs. Some fellow - broadcasters think his attitude is self-conscious fetish. Others figure him an eccentric, a 'character.' But most of those who work with him like him personally and respect his professional ability. And apparently Procter & Gamble approves of him, for it continues to sponsor his two programs, 'Kitty Keene' and 'This Small Town.'

Still, even to hear him tell about them, his theories about the importance of psychology are inclined to be eyebrow-raising. For instance, when he was hiring a secretary several years ago, Huntley listed a set of requirements that would have driven an employment agent daffy. According to him, the girl had to be of Swedish extraction, a college graduate who had studied psychology, able to take shorthand, possess a knowledge of dramatic structure and acting and have an independent income. To everyone's surprise but his own, he found one who qualified on every point.

And She's Still With Him

She wasn't sure she wanted the job, but agreed to try it. That was about three years ago, and she's still with him. In fact, she's so capable that Huntley believes she could replace him if the need arose, or create her own program. Her name is Natalie Johnson, which is of interest if only because of the fact that when Huntley hired a second secretary some time ago, he chose one named Irene Johnson, but no relation. Huntley, who is of Scotch descent, finds it easiest to get along with people of Swedish extraction. He regards the other specifications as self-explanatory.

Whenever Huntley and the two Misses Johnson complete the final draft of a script they read it over together, impersonating the various characters. That explains another of Huntley's unique secretarial requirements—the one about the girl needing a knowledge of acting. Anyway, whenever a director or actor on one of Huntley's programs gets off that aged wheeze that one of his scenes 'won't play,' the author and his secretarial allies hustle right around to studio and play through the script just to prove it can be done. Says Huntley, 'If there's anything that burns me up it's to have anyone say one of my scenes 'won't play.' I have a standing offer of a bet to the contrary and I'm always ready to prove it.'

Huntley says that if a script is written along sound psychological lines it is bound to be logical and dramatically convincing. He always tries to have his situations grow out of the contact of characters. For that reason he likes to refer to the narrative line of his scripts as the 'story,' rather than the 'plot.' He has little difficulty with the actual writing of the two shows, and either types his own scripts or dictates them, whichever he feels like at the time. He doesn't like melodrama, explaining that in all the time he has been writing the two programs they have never contained a violent death, a mortgage-foreclosure or any great crisis. That only pistol shot in one of his scripts was an accidental one and no one was injured in the mishap.

Bearing out his ideas about psychology, Huntley likes to do personal research on listener reaction to radio drama. His method is to take motor trips through the rural midwest, stopping at farmhouses to talk to women about daytime programs. He has observed that these farm women are eager to discuss their favorite shows, since daytime radio is an important part of their lives, which they don't otherwise get a chance to talk about with their husbands (who don't hear serials and therefore aren't interested) or with other housewives (who generally live beyond conversational reach). Huntley says these farm women are much more adult intellectually and more broad-minded than most people think. He believes their mail response proves it.

HOW TO GET AN EVENING AUDIENCE AT DAYTIME RATES!

TIMEBUYERS . . . AGENCYMEN . ADVERTISERS . . . ANYBODY, ANYWHERE, WHO USES RADIO. . HERE'S A NEW SPONSOR-TESTED PLAN YOU SHOULD KNOW ABOUT—NOW!

THIS new WOR study is called, "Saturday—a challenge that is also an opportunity." Agencymen and advertisers to whom it was personally presented in Boston, Chicago and New York said, "Here's something that will start sponsors thinking about a 6-a-week strip." . . . "Nearest radio ever got to point-of-sale merchandising." . . . "Just the thing for that client of mine who thinks there's nothing new in radio.

This New WOR Study Proves:

1. That there are as many—sometimes MORE—sets in use on Saturday as on any other weekday.

2. That the 5-day week has created an ALL-FAMILY, EVENING AUDIENCE on Saturday morning.

3. That 70% of ALL Saturday shopping is PLANNED in the morning. Purchases are made in the afternoon.

4. That there's more available CASH on Saturday than on any other day of the week.

5. That the 3- or 5-a-week strip sponsor should use a Saturday show to remind his listeners BEFORE they shop.

6. Saturday gives you a greater range of program choice and copy appeal.

7. There's less program competition on Saturday morning than on any other morning of the week.

Never before has WOR offered agencymen and advertisers a timebuying plan as sound and elastic as this story of Saturday.

For this is not WOR's idea of what MIGHT be done. It's a sponsor-tested blueprint for buying that has won advertiser and agency approval.

Smart sponsors such as Bristol-Myers, Quaker Oats, American Tobacco and other WOR Saturday users have long been aware of radio's weekend opportunities. Others are rapidly catching on. This is proved by the fact that—175% MORE ADVERTISERS ARE USING WOR SATURDAY TIME TODAY THAN A YEAR AGO!

Another reason is that WOR's Saturday morning audience today is greater than that of any competing station in New York.

• •

WOR sincerely urges all agency executives and advertisers to obtain a copy of "SATURDAY—a challenge that is also an opportunity".

• •

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WOR

—that power-full station

From The Production Centres

IN NEW YORK CITY

Anne Honeycutt, of the WOR program department, may shift back to the CBS program department, where she was formerly employed....Maida Severn, secretary to Louis Ruppel, CBS publicity head, has temporarily transferred to the network's production staff during her boss's vacation, but may stay there....she's a former radio singer....Raymond Paige guests on 'So You Think You Know Music' next Tuesday night (4).

Piel's beer taking over sponsorship of Boake Carter's three-a-week series on WOR-Mutual starting March 12....it's been sustaining since United Airlines dropped it....Dick Ballou, house bandleader at WHN, back after three weeks' illness....Stephen Courtley added to 'This Small Town' cast ....Sheelah Carter, his sister, will sub for Boake Carter on his Saturday (1) broadcast, while he's on brief vacation....Florida....John Gibbs has taken larger quarters in Radio City for his production office....Axel Gruenberg and Maury Lowell, directors of Gibbs shows, now headquarter there.

Fred Raphael, WHN program director, has new home in Kew Gardens, L. I....Nelson Case, already hobbled by broken leg from skiing mishap, forced off his shows because of flu attack....Richard Stark subbing for him on 'Against the Storm,' and 'Lone Journey'....Linda Watkins, Margalo Gillmore and Jessie Royce Landis playing leads in WOR-Mutual's new 'We Are Always Young' serial, supporting William Janney.

Doria Folliott, English novelist, has written a radio serial, 'The Promised Land,' which the John Gibbs office is handling. Show is described as dealing with a 'search for security in a world of insecurity.' It is her first writing attempt for radio....Author is the wife of Eugene Speck, of the NBC news staff, and the sister-in-law of Hugo Speck, United Press correspondent in Sofia and former VARIETY representative in Paris, Rome and Istanbul.

Bill Slocum, CBS special events head, on airplane tour of the army training camps....Patricia Lochridge, of the network's news department, will substitute during his absence....Edythe J. Meserand now full-ranking member of Dave Driscoll's WOR special features department....Lawson Zerbe teamed with Arlene Francis on Macy's '9:40 Shopper's Club' series over WOR weekday mornings....Milton J. Jurin, formerly in charge of radio traffic for Franklin Bruck, has been named radio time buyer for the agency....Ken McGregor, new director of 'City Desk,' has opened his own office on Madison avenue, with Wanda Hooley as assistant....Laddie Seaman assisting Carlo DeAngelo on the direction of 'Wheatena Playhouse' ....now that WEVD has been granted a boost from 1,000 to 5,000 watts, it will erect a new transmitter....Kate Smith visiting Ft. Lauderdale, Fla., until March 6, is doing her daytime programs from there, but will commute to New York for her regular Friday night shows....incidentally, 'The Aldrich Family' and Abbott and Costello will do return guest appearances on the Kate Smith show this week (28)....Nancy Coleman and Hume Cronyn will play the leads Tuesday (4) night on 'Grand Central Station'....script for the show is by P. K. Wilson, her third one for the series.

Edgar Jacobs has joined the program staff at WABC, New York. Formerly assistant production manager of WNEW, New York, and previously an announcer for the Yankee network, WTIC, Hartford, and WFBL, Syracuse.

Beverly Bayne, silent picture star, appeared on a 'Grand Central Station' program a couple of weeks ago....she was billed and, according to the agency, drew more personal mail than anyone else who ever worked on the show....'Maudle's Diary,' adaptation of Graeme and Sarah Lorimer's Ladies Home Journal stories, recorded by William Morris office, a weekly half-hour series....Mary Mason has the name part....it's being auditioned by an ad agency....Jean Muir on 'Great Plays' series Sunday (23) over WJB-NBC....Marian Shockley into the cast of 'Mother o' Mine' in a steady part....Phillips H. Lord selling Seth Parker clam chowder to several of the tonier restaurants in town.

John O'Hara, author of 'Pal Joey,' will guest on 'Information Please' this week (28)....Don Goddard substituted for John W. Vandercook in the commentary from New York on NBC's 'News Roundup'....Vass Family, who have been guesting on Alec Templeton's Alka-Seltzer program over NBC, are now permanent members of company.

New male lead in 'Hill top House' is played by Donald Briggs, a recent arrival in N. Y. from Hollywood but originally a Chicago radio actor.

Elmer Davis starts lecture tour Saturday (1) and will originate his CBS news program from all over the map....Bond clothing stores begin sponsoring Phil Cook's six-weekly 'Morning Almanac' series March 10....it's now sustaining on WABC....Karl Weber added to cast of 'Guiding Light' ....Marjorie Morrow, CBS casting director, back from Florida vacation ....Norman Corwin, due east in another three or four weeks, will hide out to ready his '26 by Corwin' series for CBS....Richard Gordon added to 'Orphans of Divorce' cast.

Frank Munn doing informal concerts in and about Merrick, L. I., for local charities....Joe Julian, whose VARIETY article on radio acting caused a furore in commercial broadcasting circles, has now authored a stage play, 'Double Feature,' which the Experimental Theatre will do this spring ....he's currently in the casts of 'Orphans of Divorce' and 'Just Plain Bill' ....Pert and Gay, of WHN's 'American Jewish Hour,' joined the Broadway revue 'Crazy With the Heat'....Boyd Crawford, juvenile lead on the 'Amanda of Honeymoon Hill' show, has dyed his hair black for a Selznick screen test.

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IN HOLLYWOOD

Hal Styles, radio's one-man employment agency, unveils a new one, 'Count Your Blessings,' on NBC's Coast blue net. It rides three times a week in the afternoons, being well baited for sponsorship. Styles was long time on KHJ and KFWB with 'Help Thy Neighbor'....Van Fleming's Mutual co-op'er, 'I Want a Divorce,' washes up 26 weeks in April and takes a seasonal respite. Some talk that Joan Blondell won't renew and goes east next month with Dick Powell to talk new sponsorship. Failing there she may return to 'Divorce,' which is angling for a new set of underwriters....Elaine Barrie will take a dramatic fling in Ted Sherdeman's 'Latitude Zero' at NBC....Victor Boesen transferred from WBBM, Chicago, to KNX news staff....Armand Deutsch, Coast radio head of McKee-Albright, goes east in a couple of weeks, well in advance of Rudy Vallee's Sealtest aggregation. Understood he may give up the production end and take a new post with the agency....Jack Creamer, radio aide to Nat Wolff at Lyons & Lyons, dons the khaki of Uncle Sam at Camp Ord, Calif., March 4....Eddie Cantor trains his 'Time to Smile' troupe to New York after March 12 broadcast to wind up the season there....Rudy Vallee sponsoring Gene Lester as the singing photog. If it jells he'll stay out of darkrooms....Erskine 'Skinny' Johnson goes gossiping on KECA for Nassour's shampoo twice a week on KECA. He's one of the home film columnists....Vass Family pitches at NBC here March 8 for month. They'll probably do a picture on the side....Jimmy Saphier spotted 'Six Hits and a Miss' in Columbia's celluloided 'Show Business'....Art Linkletter barged in from Frisco to dole out some inspiration to the YMCA lads....Hal Berger spreading his 'Shafter Parker Circus' over the full Mutual network after long local duty....Danny Danker east for talks with Stanley Resor and John U. Reber at J. Walter Thompson....Dick Mack's writers on the Sealtest show are Paul Henning, Norman Panama, Charles Isaacs, Melvin Frank and Emanuel Manheim. Eliot Daniel and Joe Lilley dish up the music....Bristol-Myers tagged Franklin Bingman for three-time weekly newscast on NBC's Coast red web....Days-on-end rain chased Lewis Allen Weiss to Palm Springs, where it's no drier....Jim and Marion Jordan (Fibber and Molly) taking outside guest shots. Following Lux airing of 'The Whole Town's Talking' they do their bit for Motion Picture Relief Fund by putting in on Screen Guild Theatre March 2. Jordans stratosphered to their top rating last week since skidding along on Johnson wax....Honolulu business leaders are still trying to get Kate Smith and her gang to do at least one broadcast from the Island.

Ted Sherdeman is off on another dramatic serial over NBC. This one's called 'Latitude Zero' and has to do with adventures of five lads aboard a U-boat. One of the quintet is Vinton Hayworth (Jack Arnold, remember?). It'll do sustaining duty on the coast red until the cork goes under. Sherdeman, as usual, writes and produces....Walter Davison moved over to KMPC as sales manager after longtime duty with Syd Dixon's red sales crew at NBC....Lou Ruppel due out for another siesta at Palm Springs. Last time he came west most of the CBS publicity orders taped from the desert....Ted Cook will air his 'Cook-Coos' over KFI for a local drug chain. He columned his humorous observations for the Hearst sheets for 10 years....H. V. Kaltenborn due Feb. 27 for lecture dates in the vicinage and contract talk with a picture studio....Bob Coleson, who directed radio activities at the Frisco fair the two years of its running back from auto trip to Mexico City. New highway is like a boulevard, he sez....Ben Bernie and all the lads chugged back east after fizzing the Bromo here for a flock of weeks....Charlie Vanda ordered by emdees at Johns Hopkins to shed 20 pounds....Hal Bock returned from NBC home office sesh gay-and-date with Don Gilman's incoming from swing of north coast territory.

Orson Welles will be tossed a script for Silver Theatre appearance March 30 and that'll be it, his objections notwithstanding. Understood the Young & Rubicam scriveners are cooking up something real choice for filmdom's triple-threater....Bert Gordon stays on the Eddie Cantor show with his 'mad Russian' routine on a week-to-week basis. Jinx Falkenburg draws two more guest shots....Bill Baker of Benton & Bowles around for a few days and then down to the desert for a tanning before hieing back east....Alec Templeton will do his Alka Seltzer program from here for seven weeks beginning March 7....Screen Guild Theatre presents one of its strongest name shows next Sunday (23) with Bob Hope, Jack Benny and Betty Grable bracketed in the comedy, 'Altar Bound'....Since Ed Gardner is taking his crack writer on Sealtest, Abe Burrows, to N. Y. with him for 'Duffy's Tavern,' the succeeding producer of the Rudy Vallee turn, Dick Mack, is taking along with him Emanuel Manheim, fellow scripter on Chase & Sanborn....Kay Kaiser will do his Luckies broadcast from marine base at San Diego Feb. 26. Carl Stanton, account exec for Lord & Thomas on the Miggie biz, came on from New York to make the arrangements....Edgar Bergen bought the airport at nearby Montebello as a training site for young eagles. He has set up a revolving fund to provide scholarships for deserving youngsters....Bart Yarborough, 'Cliff' of 'One Man's Family,' is in the hospital to shed a bothersome appendix ....H. V. Kaltenborn due in Feb. 27 for 'rest and relaxation,' during which time he'll do nine broadcasts and four lectures. All within a week's time ....Fred Wile, Jr., back to New York after a loafing spell....Joe Parker qualified for the hyphenated role of producer-composer when he cooked up the words and music for 'Hold Out For Heaven.' Being with NBC it goes to BMI....'Town Meeting of the Air' from NBC here will discuss 'How Should Motion Pictures Aid National Defense?' In the guest panel will be Walter Wanger, Donald Ogden Stewart and Manchester Boddy, local tab publisher....Jack Runyon doubled back to Manhattan to start functioning as radio director for Ted Bates agency....Charles Speer here from New York to line up the aviation industry here for national defense air series being underwritten by National Ass'n of Manufacturers.

IN CHICAGO

Jackie Heller resting in the Hotel Sherman with a touch of flu prior to the get-away of his coast-to-coast NBC-Red ride for Mars candy's new 'Forever Yours' bar on March 2....Alan Wallace set as new producer of 'Kitty Keene' strip....Carlton Kadell joins the 'Road of Life' gang as special narrator....Lesley Woods now with 'Houseboat Hannah,' Art Kohl, Lou Stofield and Bill Rath with 'Tom Mix Straight Shooters'....Dinning Sisters, NBC vocalists who double to the National Barn Dance, set for special engagement in the Civic Auditorium, Grand Rapids on March 7.

Gladys Heen, Art Kohl, Peggy Fuller and Hope Summers new cast monikers in 'Girl Alone'....Dave Bacal, Columbia organist, limping with a twisted gam due to handball tumble....Alec Templeton is composing a 'Rhapsody Harmonique'....Ted Maxwell and Helen Van Tuyl now with 'Woman in White,' and Mike Romano is in 'Right to Happiness'....Jane Gilbert out of hosp after flu siege.

Bob Strong orchestra, on the ether for the Brown & Williamson Tobacco Company's 'Uncle Walter Dog House' show over NBC, set for special dates between broadcasts....This week playing the Cicero Lodge dance, the Senior Prom for the Michigan Normal College, and next week has two more dates, a party for the Industrial Mutual Association of Flint, Mich., and the Grinnell College Senior Prom at Grinnell.

MELVIN COLE ON WSAV

Savannah, Feb. 25.

Melvin Cole, member of the air corps located at the army air base here, does a 15-minute series Tuesday afternoons to tell about activities at the flying field. Show originates at WSAV, local NBC red outlet.

Although Cole is from Connecticut and thus has a Yankee accent, he was chosen for the assignment from among numerous applicants. He formerly was associated with several New England stations, including WTIC, Hartford.

WWJ, Detroit, Sets 15th Season of Baseball; Ty Tyson Carries On

Detroit, Feb. 25.

Tiger baseball games again will be under the joint sponsorship of Socony-Vacuum and General Mills (Wheaties) over WWJ. W. J. Scripps, general manager of the station has renewals for 1941. It marks the 15th consecutive year the station, first to inaugurate the broadcasting of baseball games, has aired them this area.

Joint sponsors, as in the past, will share the play-by-play accounts, alternating on days. The 6 p.m. game resume again will be sponsored by Barbasol and Kremel.

Ty Tyson again will handle both assignments. Announcer is noted through the area for increasing women's interest in the sport with an extensive housewife following.

WEMP's Association Games

Milwaukee, Feb. 25.

American Association baseball games here will be broadcast thi year by WEMP for the first time, under sponsorship of General Mills, deal having just been closed by C. J. Lamphier, station head, and Jim Kelly, of Knox Reeves. One of the announcers will be Mickey Heath, former manager of the Brewers, who will handle the dugout dope and color, and who is now in training for the job doing WEMP sports broadcasts.

Association ball games for several years past have gone out via WISN.

Cleveland Game Sponsors

Cleveland, Feb. 25.

WHK-WCLE sales staff has completed baseball set-up for broadcasts and resumes of Cleveland Indians baseball games during coming season. Actual play-by-play miking of games has again been sold to General Mills and Socony Vacuum under alternate sponsorship plan. Jack Graney once more gets call to handle broadcast assisted by Pinky Hunter. Games will e aired on WCLE.

Evening resumes of games on WHK will be sponsored alternately by Seiberling Rubber Co. and Ford Dealers of Cuyahoga County. Jack Graney will handle broadcast. Arrangement is same as in 1940.

WCLE resume with Pinky Hunter doing speedy re-creation of game has been sold to Brewing Corporation of America.

Pregame dug-out interviews with Jack Graney handling is also on station's baseball schedule. Lyon Tailors is sponsor for four days per week and Ology Cigars for two.

KSTP Out of Own Deal

Minneapolis, Feb. 25.

Ray C. Jenkins, KSTP general sales manager, has negotiated for the third successive year, sale of the Minneapolis and St. Paul American Association baseball games on Minnesota Radio Network of which KSTP is the key station. Sponsor is General Mills.

As in previous years, KSTP will not carry the games, but will feed them to KYSM, Mankato; KROC, Rochester, and KFAM, St. Cloud, Minn.

A contract for broadcast of the Minneapolis games has been set by WLOL. General Mills is bringing in Harry McTigue to handle the mike. Last season WLOL shared the baseball broadcasting with WMIN.

McTigue, who has been with General Mills for six years, handled the Philadelphia National League games last season and prior to that the Washington Senators' contests.

Roger Baker to Havana

Cincinnati, Feb. 25.

For three weeks, starting March 10, Roger Baker will make recordings in the training camps of the Reds and other major league clubs for airing on his regular thrice-weekly programs on WLW for Twenty Grand cigarets, and on weekdays on WSAI for the Hudepohl Brewing Co.

Cellophane's Quickie Dramas For Canada

Montreal, Feb. 25.

Cellophane Divisions of Canadian Industries Limited hits the air this month with series of five-minute dramatized biographical skits about great benefactors of humanity. Series deals with lives of Lister, Edison, Pasteur, etc. Cellophane will use from 10 to 14 selected Canadian stations including Canadian Marconi station CFCF in Montreal. Skits also translated into French for use over French stations in province of Quebec.

McConnell-Eastman Agency producing out of Montreal office.

Charles Carvajel Directs Spanish DX Recordings Of Camels for Esty

The William Esty advertising agency in New York on behalf of Camel cigarets has arranged for Yvette and Xavier Cugat to be recorded off the air (NBC longwave) for delayed transmission to South America via NBC shortwave. This calls for Charles R. Carvajel, former NBC employee who is now a free-lance international radio consultant, to do his stuff.

At 7:30 p.m. the actual Camel program is recorded with the English announcements, commercials all faded out and Spanish written and fitted by Carvajel dubbed into the recording by Ken Smith.

Record hits the shortwave route two hours later at 9:45 p.m.

'ST. LOUIS DAY' AGAIN CALLS FOR N. Y. SHOW

St. Louis, Feb. 25.

For the third consecutive year members of the Associated Retailers of St. Louis who, with but a few exceptions, spurn radio as an advertising medium are shelling out an estimated $5,000 for a 30 mins. radio program Friday (28) to bally 'St. Louis Day,' one of the biggest retail sales events of the year in the downtown district the following day. Natives who have clicked in big entertainment fields have been corraled by Joe Batt, prez of the Joe Batt Advertising Agency and advertising counsel for the retailers, to participate in the program which will be aired by six local stations.

The program originating in CBS' New York studios will hit here from 7:00 to 7:30 p.m. and KMOX will pipe it to KSD, KWK, WIL, WEW and KXOK. Set for the program are Gus Haenschen and an orchestra; Kay Thompson and Annamary Dickey, songs; Morris Carnisky of 'My Sister Eileen' and Zoe Akins, novelist and playwright.

Mayor Fiorello LaGuardia is skedded to toss a few posies to the talent and the local merchants on their enterprise, etc., and hizzoner Bernard F. Dickmann will make a fitting reply.

WHN'S KID WIZARDS ATTRACT A SPONSOR

'Kid Wizards,' sustaining program on station WHN, went commercial last night (Tuesday) under sponsorship of Vitamized Yeast Foam Tablets (Consolidated Royal Chemical Corp.), which has entered the radio time market on extensive scale.

In addition to half-hour 'Kid Wizards,' account has also taken a 15-minute period over WHN across the board, in the Cinderella program, 11:15 to 11:30 p.m., and a flock of newscasts.

Business placed through Chicago offices of Benson & Dall, Inc. Contracts are for 10-week term.

Cleveland. — Cornelius J. Dwyer leaves local U.P. staff to join WHK news department. Addition of Dwyer enlarges station's staff to three. Ray McCoy, who joined staff several months ago is also ex-U.P. man. Lee Otis is in charge of news bureau.

JOSEPH KANE SETTLES 'FIRSTS' SUIT VS. PLOUGH

Joseph N. Kane's $25,000 suit against Plough Inc., was settled and discontinued Wednesday (19) out of the N. Y. federal court. Action claimed infringement of a title with which the plaintiff had become identified called 'Famous Firsts.'

Plaintiff is the author of two books called 'Famous First Facts' and 'More First Facts,' and from 1938-39 conducted a radio program over WOR under the first title. The defendant has been conducting a radio program for St. Joseph's Aspirin in which the first spoken words always were 'This is a famous first fact of history.'

EVACUEES ABSORB SLANG

English Kicks Begin to Sound Very Yankee Over WRUL

Boston, Feb. 25.

American slanguage comes easy to English evacuees, when 14 of them broadcast via WRUL to their parents abroad.

'Hello, Daddy! Mummy's in the dog house. She crashed the car into the garage door the other day,' said John Harvard Baker, 10, a descendant of founder of Harvard College, who is here with his mother.

Next in turn, Barbara Miller, 11, said, 'Hello, Mummy! You said we wouldn't hear any sirens over here, but we do. We hear them on the fire engines and paddy wagons.'

Quite spartan, 14-year-old Michael Burton said, 'I'm sorry to hear about our house, but never mind. We wanted a new one anyway.'

A Triple Always

Minneapolis, Feb. 25

The 'always on time-always helpful' station-break slogan of a Twin City storage and moving concern, Ballards and Skellets, which has become as familiar on KSTP as the call letters, gets another line—'always on KSTP'—in new promotion piece going out this week.

Mailing piece commemorates the start of the 12th successive year on KSTP by the concern.

WINS FIFTH 50,000-WATTER IN N. Y.

Permit to increase its power to 50,000 watts and operate full time was granted to WINS, New York, by the FCC, station officials announced yesterday (Tuesday). Work on construction of a new directional antenna will be started at once at the present transmitter site at Carlstadt, N. J. Station's wave length, 1180 kc, will remain the same.

Hearst outlet now operates on 1,000 watts daylight. Operation at the upped wattage will be effective upon FCC approval of the site and completion of the new transmitter.

Makes fifth 50,000-watter in New York, others being WOR, WABC, WEAF, WJZ.

Stations Buy Out Sales Rep, Retain Head As An Employe

Toronto, Feb. 25.

Jack Slatter, formerly acting as an independent, exclusive station representative, has made deal with his clients whereby these stations now own and control the rep office. Slatter is retained as managing director of the new organization known as Radio Representatives, Ltd., with head offices here. Stations reported included in deal are CFCN, Calgary; CFRN, Edmonton, CFQC, Saskatoon, CJGX, Yorkton, CKPR, Fort William.

While acting primarily as station reps Radio Representatives will also have close working arrangement with transcription production.

Each of the stations involved in the deal will have one vote in administrative affairs of the new organization, irrespective of the capital invested by any one station in the setup.

Neil LeRoy becomes associate to Slatter in Toronto succeeding W. Dipple, who takes charge of the Montreal office for RR.

Great Falls, Mont.—Jack Hubbard, formerly of WATW, Ashland, Wis., is new announcer at KFBB.

Dorothy Roberts back on continuity job, after two months' rest.

Deane Flett, publicity director-announcer for KFBB, joins 1,100 other draftees from Montana for a year's trek into the west.

R.S.V.P.

NBC has asked John Shepard, 3d, to tell it by March 1, if possible, what he intends to do about the switch of WNAC's affiliation to the blue network in June, 1942. The network explained that its blue sustaining programs were not getting the release it wished in Boston, that WMEX was willing to carry some of them and that this was okay with WBZ, and before it took any action on the matter it would like to get Shepard's reaction.

WNAC is currently affiliated with the red network.

Max Jordan, Kerker Due

Max Jordon, NBC's mitteleuropa representative, is due in New York later this week on the SS. Siboney out of Portugal. He has been headquartering in Switzerland lately rather than Berlin, his original beat.

He is accompanied on the ship by another overseas newscaster, William Kerker.

Gertrude Lewis, WLOL woman news commentator, is in St. Mary's hospital, Minneapolis, following emergency operation.

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"Success Seeks Success"

S. & G. Gump, Frisco Art Dealer, Underwrites New KSFO ¼ Hour

San Francisco, Feb. 25.

Local biz skidded during the past week, with the gains in network and spot billings too small to offset bigger losses in the other division. Only stations to show gains in all three classes were KGO and KPO, while KFRC gained 15 units in network accounts, lost 115 in local biz, and KSFO showed an increase of six units in regional accounts. The indie KJBS slumped badly off, 247 units, in local billings but was up 24 in spot stuff.

KSFO is happy over signing S. & G. Gump, one of the country's most important art dealers, to bankroll Art Linkletter's new 'Gallery of Celebrities' for 15 minutes on Sunday evenings. It is the store's first venture into commercial radio and another ice-breaker in the local retail merchants' opposition toward radio as a sales medium.

KSFO: American Chicle Co., through Badger, Browning & Hersey, 182 one-minute spots; American Popcorn Co., through Buchanan-Thomas, 30 100-word spots; Bank of America, through Chas. R. Stuart, 52 35-word spots; Beech-Nut Packing Co., through Newell-Emmett, 65 chain breaks; Blue Ribbon Books, Inc., through Northwest Radio Advertising, 39 five-minute periods; A. S. Boyle Co. (Old English floor wax), through J. Walter Thompson, 78 participations in Housewives Protective League; Coca-Cola Bottling Co., through D'Arcy Advertising Co., 52 15-minute transcriptions; Colonial Dames, Inc. (cosmetics), through Glasser-Gailey, 12 five-minute platters; Cie Parisienne, Inc. (perfume), through Northwest, 312 five-minute periods; Crowell-Collier Publishing Co., through McCann-Erickson, 52 15-minute 'Jean Abbey' programs; Crown Products Co. (syrup), through J. H. Diamond, 13-week participation in Housewives Protective League; Dwight Edwards Co. (coffee), through McCann-Erickson, 200 35-word spots; Foreman & Clark (clothiers), through Milton Weinberg, 156 10-minute newscasts; Gump's (retailers), direct, 15-minute period weekly for 13 weeks; Hecker Products Corp. (shoe polish), through Benton & Bowles, 130 35-word spots; First Federal Savings & Loan Assn., direct, 26 weeks participation in Housewives Protective League; Insurance Securities, Inc., through Theodore H. Segaff, 26 15-minute periods; International Harvester Co. (tractors), through Aubrey, Moore & Wallace, 13 100-word spots on 'Farm Journal'; Kitpatrick Bakeries (bread), through Emil Reinhardt, 780 50-word spots; Kellogg Co. (cereal), through Kenyon & Eckhardt, 130 one-minute spots; Langendorf United Bakeries, Inc. (bread), through Leon Livingston, 83 50-word spots, 18 100-word spots plus five 50-word and five 100-word spots until cancelled; Lever Bros., through Ruthrauff & Ryan, 260 35-word spots; Loma Linda Food Co. (Ruskets), through Gerth Knollin, 260 participations in Housewives' Protective League; Manhattan Soap Co., through Franklin Bruck, 78 15-minute newscasts; Milens Jewelry Co., through Segall, 1,090 50-word spots; New Century Beverage Co. (Belfast water), through M. E. Harlan, 234 participations in Housewives Protective League.

WHAS

50,000 WATTS

LOUISVILLE

CBS

Sales power in the "opportunity market" of the nation

Ask any Edw. Petry office for more information about WHAS, one of the sixteen CBS 50,000 watt stations.

PROGRAM DEPT. CHANGE AT FT. WAYNE PAIR

Ft. Wayne, Feb. 25.

Reorganization of program department executive personnel at Westinghouse WOWO-WGL, Ft. Wayne, placed Franklin Tooke, former WOWO program chief, in charge of both stations. Eldon Campbell, special events man, becomes WOWO production director, while Carl Vandagrift, formerly in continuity, will take that post for WGL. Campbell will continue to handle special events.

Charles Edwards Koops, formerly with Triad Advertising Co., joins WOWO-WGIL continuity staff, replacing Vandagrift.

Hy-Phen Answers FTC

Washington, Feb. 25.

Answer to a Federal Trade Commission complaint charging misrepresentation in advertising was filed last week by Hy-Phen Corp., of Matoaka, W. Va. Commish rapping for newspaper, radio and other ballyhoo on a preparation, 'Hy-Phen,' claiming to be a cure for colds, toothaches and neuralgia, was answered by the company's assurances that it has not used newspaper advertising for a period of three years and that other advertising 'with the exception of radio' has been discontinued during the past year.

The remedy is advertised on two West Virginia radio stations, it was admitted, but the company is not aware of any misleading or deceptive material used in the broadcasts.

Showmen's Tip

Minneapolis, Feb. 25.

KSTP is using a new type of 'hypo' to build crowds for its KSTP ruralesque Saturday night 'Sunset Valley Barn Dance' in the St. Paul auditorium. It sets up its portable recording equipment in the auditorium lobby and cuts the 15-minute disc in which patrons get a chance to have their say.

Later the disc is played back from the stage over the auditorium's p.a. system.

Evidence that it gives the audience a considerable bang is found in hand-raising checks which show the bulk of the patrons for the weekly stage shows come from the state's alfalfa belt and get a thrill from hearing their voices over the air.

ADDITIONAL FM LICENSES OUT

Washington, Feb. 25.

FM service covering more than 9,000,000 listeners in nearly 28,500 square miles of potential service territory was provided for Wednesday (19) when the Federal Communications Commission issued construction permits to five prospective FM transmitters.

Four stations of Westinghouse Radio Stations, Inc., will cover a population of 8,820,000 and 24,600 square miles, the FCC estimated, in Pennsylvania, Massachusetts and Indiana. A fifth transmitter will serve 3900 square miles with 270,000 population in Illinois.

Westinghouse stations and their service capacities are as follows: 45,700 kc transmitter at Philadelphia serving 4,500,000 listeners and 9,300 square miles; Boston station on 46,700 kc, for 3,400,000 population, 6,700 square miles; 48,100 kc station, serving 2,500 square miles and 500,000 population, at Springfield, Mass.; and a 44,900 kc transmitter at Fort Wayne, Ind., covering 6,100 square miles and 420,000 population.

Rockford Broadcasters, Inc., at Rockford, Ill., will serve 3,900 square miles, with 270,000 population, on 47,100 kc.

Further application of Columbia Broadcasting System, Inc., for a 44,100 kc transmitter to serve 16,230 square miles with more than 4,300,000 population has been designated for hearing.

FM authorizations for full commercial operation so far total 39.

MORE SUDS BLURBS

Palmolive Extends on KSL—Dept. Store Buys KUTA

Salt Lake City, Feb. 25.

KUTA's theory that a noontime popular melody program would be popular with clock punchers has proven correct. As a result their program, 'Noonday Heat Wave,' has been expanded to one full hour, due to requests from working people listeners.

KSL, through Lennox Murdock, commercial manager, is entertaining Mr. and Mrs. Ed Buckalew this week. Mr. Buckalew is sales promotion manager for CBS on the Coast.

KSL: Smith Chickeries, through Shaeffer-Brennen & Margulis, three quarter-hour morning spots; Blue Ribbon Book Co., through Northwest Radio Advertising, 13 five-minute daytime announcements; Simon & Schuster, through Northwest Radio Advertising, renewal series of five-minute spot announcements; Packard Motor Co., through Young & Rubicam, series of daytime spot announcements; Colgate-Palmolive-Peet (Palmolive Soap), through Ward Wheelock, increased to five announcements weekly, 52 weeks, 50-word chainbreak announcements.

KUTA: C. Ed. Lewis Real Estate, renewal; 10 minutes on 'Home Counsellor'; Coconut Grove, spot schedule; Pilot Cafe, spots on 'Noonday Heatwave Program'; Roes Department Store, 14 special spots and series of one weekly; Acme Vocational Centre, 10-minute participation on 'Spice of Life.'

Roy Shudt, of Troy Record, doing quarter-hour sportcast evenings for Fitzgerald Brewing Co. and a Sunday bowling chatter-interview period for Rudolph Bros. jewelers.

Heavy Advance Advertising Skeds For New Cars Lined Up on WNEW

SHOWMANSHIP TOPPER:
Orson Welles Doing George Washington
WNEW

WNEW, which promotes itself spectacularly from time to time, took a full-page advertisement in last Friday's N Y. Times to announce that on the following evening Orson Welles would play George Washington in a holiday one-timer. This is one of the most extraordinary money-spending experiments in prestige-creation by a local station which has come to the attention of VARIETY in its eight years of tabbing radio showmanship. It introduces a new aggressive type of competition into the local station situation in metropolitan New York. WNEW literally forces the preoccupied big town to take note of its existence.

The advent of spring is clearly reflected in the increased amount of automobile and auto accessory clients going in for advance advertising, and who are now purchasing time and making reservations for time on WNEW. With several contracts in the hands of the commercial department waiting for time allotment, those already in include The Cadillac Pontiac Dealers, Red Seal Motors Company, and Roth and Schlenger.

WHN: Fairmount Creamery Co., through Joshua S. Epstein Co., station-break announcements; Metropolitan Hudson Motor Dealers, through Brenallen Co., renewal, daily participating announcements, 13-week contracts; S. A. Schonbrunn (Savarin Coffee), through M. H. Hackett & Co., daily spot announcements; Federal Life & Accident Insurance Co., through Huber Hoge & Sons, participation in Art Green and Bruce Wendell programs, daily except Sunday, 52-week contract; The American Economic Foundation, through Bayless-Kerr Co., 'Wake Up America,' weekly three-quarter hour program, 13-week contract; National Schools of New York, through Huber Hoge & Sons, five-minute talks, 52-week contracts; Roxy Theatre, through Kayton-Spiero, for the picture 'Tobacco Road'; Sall Greenberg (jewelry store), daily station-break announcements.

WINS: Community Opticians (Eye Glasses Brooklyn Corp.), direct, 25 one-minute announcements weekly; Roxy Theatre and/or 20th Century-Fox Film Corp., through Kayton-Spiero, for the picture 'Tobacco Road,' four announcements; United Shoe Exchange, direct, 21 announcements weekly, 52-week contract.

WMCA: American Safety Razor Corp. (Gem Razors & Razor Blades), through Federal Advertising Agency, Inc., 'Boxing Bouts' from Bronx Coliseum, Tuesdays, beginning February 18, 13-week contract; Roxy Theatre, through Kayton-Spiero Co., Inc., for the picture 'Tobacco Road,' 16 announcements; Hillcrest Laboratories (Sabetal Ointment), through The Kleppner Co., Inc., announcements, eight-week contract; Musi Box-Lyceum Theatres, through Kayton-Spiero, extending contract for five additional announcements; Hickory House, three half-hour programs weekly, featuring the Babe Russen orchestra.

WNEW: Cadillac-Pontiac Dealers, through W. H. Peters, Inc., 25 announcements weekly, 13-week contract; Red Seal Motors Co., through Brenallen, Inc., 25 announcements weekly, 13-week contract; Roth and Schlenger, through United Service Advertising, 25 announcements weekly, 13-week contract; California Packing Corp. (Del Monte products), renewal, 'Make Believe Ballroom,' a quarter hour Monday through Saturday, 18-week contract; Miss Dale's Private Dance Studio, through the A. W. Lewin Co., 'Dance and Romance,' 10-minute program, 13-week contract; Roxy Theatre and/or 20th Century-Fox Film Corp., through Kayton-Spiero Co., for the picture 'Tobacco Road,' 17 spot announcements.

WOR: Illinois Meat Co. (Redimeat), through Arthur Meyerhoff & Co., 'Play Broadcasts,' weekly half-hour program; Grove Laboratories (Bromo Quinine), through Russel M. Seeds, 21 one-minute announcements; Adler Shoes for Men, through Consolidated Advertising Agency, Inc., participation in 'Here's Morgan,' four one-minute announcements; Piel Brothers (Piel's Beer), through Sherman K. Ellis, 'Boake Carter,' quarter-hour program, three times weekly; Kerr Chickeries, Inc., through N. W. Ayer, renewal, one-minute announcements on 'Farmer's Digest,' three times weekly for two weeks.

Nashville Locals Sold

Nashville, Feb. 25.

New programs sold by WLAC during the past week include:

'A Song and a Poem,' bankrolled by Cosmopolitan Funeral Home. Contract is for 15-minute program of e.t. songs, with Paul Oliphant reading poems. Account placed by Tom Baker.

'Roaming in the Gloamin'' is new program by Radabaugh-Lane, with Mary Elizabeth Hicks organist and Paul Oliphant. Account placed by Albert Noble.

'What's the Price' angeled by Cadillac-La Salle, is a twice weekly 15-minute program with Herman Grizzard. Ray Noble was agent. Show includes Grizzard describing an automobile, and the first five listeners to call in and give the exact sale price will receive a $1 bill. Show is set up for seven months.

WDRC

CONNECTICUT'S PIONEER BROADCASTER

NO. 1 TEST CITY

Advertising agency executives vote Hartford the No. 1 Test City for the U. S. A. And that makes WDRC, Hartford, station's No. 1 radio station for a test campaign. WDRC gives you the three things that make a test click:—coverage, programs, rate.

BASIC CBS FOR CONNECTICUT

DON'T MISS

PALMOLIVE'S

"HILLTOP HOUSE"

STARRING

BESS JOHNSON

By Adelaide Marston

Dedicated to the women of America. The story of a woman who must choose between love and the career of raising other women's children.

WABC-CBS—4:30-4:45 P.M., EST

78 Stations Coast-to-Coast

Direction WARD WHEELOCK CO.

Management ED WOLF, RKO BUILDING, New York

THE 17 LEADING U.S. RADIO CITIES

Fels Signs for Series of 78 Periods On KHJ; Vick's Blurbs to KFI

Los Angeles, Feb. 25.

It's not a pretty story the figures tell this stanza, nor are the future's any more promising. On the past week's roundup the only bright spot in the drab summary was the dab of pickup in network units. Spot and local took a tumble and blotted out any plussage in the totals. Best piece of new biz was the Fels buy of 78 quarter-hours on KHJ.

KHJ: Fels & Co., 78 quarter-hour periods, through S. E. Roberts; Bullock's Department Store, 12 announcements, through Dana Jones; Kenstan Products, 90 announcements, through John Riordan; Seasonette, 30 announcements, through Eugene Rouse.

KNX: Palmolive, 156 time signals, through Ward Wheelock, Pantages Theatre, 52 announcements, through Milton Weinberg.

KFI: Vick's inhaler, 50 announcements, through Morse International; Chemicals, Inc. (Vano), 20 participations in Agnes White's 'California Home,' though Botsford, Constantine & Gardner; Trimount Clothes, 52 one-minute transcriptions, through Emil Mogul.

KECA: Nassour Toiletries, 26 quarter-hour broadcasts of Erskine Johnson's Hollywood gossip, through Milton Weinberg.

IRRESISTIBLE MAY GO SPOT

Irresistible Lipstick (Chamberlain) is considering a spot campaign in 14 markets.

Redfield-Johnstone is the agency, and the extent of the orders depends on the number of choice chainbreak spots that R-J finds available in these markets.

WGRC's Student Players

Louisville, Feb. 25.

Over 150 students at the University of Louisville attended a meeting Friday (14) for the purpose of forming a Radio Workshop. Club's objective is to present dramatic productions over station WGRC. Project is not a course, but an extra-curricular activity, and no credits are given for joining the club. University officials, however, have stated that if enough interest is shown, it might be possible to offer a radio course next Fall.

STARKIST TOOTHPASTE

Sponsors Regional Amateur Programs—Also Local WOAI Musical

San Antonio, Feb. 25.

The Starkist Flotation Toothpaste Co., here has inaugurated a new series of amateur programs throughout the state as well as on one station in Mississippi. Deal is 15 weeks for half hour shows to be aired through KMAC here; KNOW, Austin; KGKB, Tyler; KTEM, Temple; KBST, Big Springs and WJPR, Greenville, Miss. Besides the half hour show, five daily announcements are also aired on the same stations.

'Sweetheart Time' is also being sponsored by the toothpaste on WOAI here for a quarter hour each Sunday.

Hillbillies in Maine

Portland, Me., Feb. 25.

First National Stores, Inc., has bought daily 7-7:15 a.m. spot on WGAN to plug chain's coffee brands. Ken MacKenzie and his western-type yodelling troupe signed to fill bill for indefinite period.

'Rise and Shine,' eyeopener fixture on same outlet, was sold few days previously to Reliable Furniture Co., also with no date set for run.

Double Bubbling on WBZ

Boston, Feb. 25.

'Don Winslow of the Navy,' 15-minute transcribed kiddies' adventure program will be heard Monday through Friday at 5 p.m. via WBZ-WBZA (24), sponsored by Frank H. Fleer Corp., Dubble-Bubble gum. N. W. Ayer is agency.

COMMERCIAL FROM U. S. ARMY HANGAR

Denver, Feb. 25.

Latest source of a quiz show broadcast is an Army hangar. KLZ is doing it Friday nights and the Adolph Coors Co., a brewer, is paying the bill.

The hangar belongs to the Air Corp Technical School at Lowry field and the title of the quiz is 'Test Flight.' Bud Thorpe is m.c.'ing and Derby Sproul doubles from scripting to production.

Thompson Agency's Spot Ads for Cosmo Magazine and Ponds

J. Walter Thompson's spot department last week handed out orders for minute announcements in behalf of Cosmopolitan mag and Ponds Cream. Former account is just using 14 announcements to be run off within a few days starting this Saturday (28), while Ponds is making it a 26-week campaign at the rate of four announcements a day, five days a week for the first 13-week cycle and two a day five days a week for the succeeding 13 weeks.

In either instance the plugs are transcribed.

KGNC's Swap Show

Amarillo, Texas, Feb. 25.

Pigs, cream separators, trucks, and every kind of farm produce, household goods, and even employment are things in which 'The Trading Post' deals on its daily broadcasts over KGNC.

Bulletin board is maintained in the lobby of the station on which are listed all items offered for trade. J. B. Linn conducts program.

The following data was computed by the VARIETY RADIO DIRECTORY *based upon data of the Federal Communications Commission. The figures employed are inclusive of all radio time and talent sales, minus frequency or other discounts. The figures are for* 1939, *the last available, comparatively placed against* 1937. *In* 1938 *the FCC did not compile this data.*

CITY*	1939 INTAKE	1937 INTAKE	PER-CENT CHANGE
1. New York	$8,849,562	$8,656,665	+ 2.2
2. Chicago	6,165,412	5,673,617	+ 8.7
3. Los Angeles	4,034,349	2,828,256	+42.7
4. Cincinnati	3,412,910	4,003,466	—14.8
5. Detroit	3,304,256	3,020,019	+ 9.4
6. Philadelphia	2,580,203	2,470,147	+ 4.5
7. St. Louis	2,168,780	2,043,492	+ 6.1
8. Boston	2,163,259	2,243,548	— 3.6
9. Pittsburgh	2,126,810	1,917,352	+10.9
10. Minneapolis-St. Paul	1,734,474	1,650,932	+ 5.1
11. Cleveland	1,688,690	1,604,920	+ 5.2
12. San Francisco	1,674,239	1,592,564	+ 5.1
13. Kansas City	1,312,338	1,200,525	+ 9.3
14. Baltimore	1,282,303	1,246,400	+ 2.9
15. Des Moines	1,200,144	1,103,862	+ 8.7
16. Buffalo	1,136,605	1,153,123	— 1.4
17. Washington, D. C.	1,120,542	1,082,964	+ 3.5

*Included in the revenue of most cities is the intake of stations in neighboring suburbs or contiguous areas. Thus San Francisco also includes Oakland, and Buffalo also includes Niagara.

Tennessee Coal Into 10 Southeast Mkts., Sells Farm Fencing

Tennessee Coal & Iron, a subsid of U. S. Steel, is buying quarter-hour news periods at the rate of three a week in 10 markets in the southeast to advertise its farm-fencing. Contracts are for 26 weeks, with March 1 the starting date.

B.B.D.&O. is the agency.

Akron.—Marshall Jones, hillbilly entertainer, has shifted from WMMN, Fairmont, W. Va., to WAKR, Akron.

PACKARD AUTO ANNS ON WBBM

Chicago, Feb. 25.

WGN: Quin Ryan's Marriage License Romances return under sponsorship of Steele-Wedeles for Savoy Brands, three 15-minute periods weekly, through Erwin, Wasey; Hirsch Clothing Co., 30 minutes once weekly, through Schwimmer & Scott; Great China Food Products, six one-minute spots weekly, through Martin Pokrass agency; Cleveland Cleaner Co., six one-minute spots weekly, through Campbell-Sanford agency, Cleveland.

WIND: General Furniture Co., 10-minute strip Monday through Saturday, through Illinois agency; Arctic Ice Cream Co., six 50-word announcements weekly, through Robert Kahn agency; Simon Werbner Clothing Co., three announcements weekly, through Leo Silberman agency; Palm Grove Cafe, six one-minute spots weekly.

WBBM: Packard Motor Car Co., one-minute announcement daily plus three one-minute special announcements on Saturday, through Young & Rubicam; Illinois Bell Telephone Co., six time signal announcements weekly, through N. W. Ayer.

Boston. — Katherine MacKillop named assistant to David S. Garland, sales promotion manager of WEEI.

Suggests Maximum Discount Apply Over 260, Instead of 300, Yearly Shows

One of the major station reps has suggested to his stations that they establish a discount scale for accounts which use more than 260 broadcasts a year and thereby make it unnecessary for buyer and station to determine what these off-base discounts will be through the process of haggling. Most rate cards place their maximum discount at 300 times, with this base representing six broadcasts a week, 52 weeks a year. Since the usual setup is five broadcasts a week this rep figures that it would be more logical to make a base of 260 broadcasts a year.

This rep recommendation for additional discounts over the maximum of base discount calls for 5% more 520 broadcasts, another up of 5% on 780 broadcasts and another 5% for 1,000 broadcasts. All the frequency discounts, with the base discounts included, would, under such a scale, amount to 40%.

Among the users in spot of 1,000 or more broadcasts a year are Esso, Gruen Watch, Bulova, Swan Soap, Lever Bros. and Socony.

COMPARATIVE RADIO BUSINESS UNIT INDEX

(BASED ON VARIETY RADIO MARKETS)

	Network Units.	Local Units.	National Spot Units.	Total Units.
Change over last week	+ 0.8%	.....	—0.8%	+ 0.2%
Change over same week 1940	+16.1%	+8.8%	+2.7%	+11.2%

* No Change.

CURRENT CITY-BY-CITY BUSINESS ACTIVITY

(FEBRUARY 22 COMPARED TO FEBRUARY 15)

BALTIMORE

Network Units	Local Units	National Spot Units	Total Units
9,070	4,540	1,584	15,194
9,130	4,605	1,517	15,252
—0.7%	—1.4%	+4.4%	—0.4%

(Included: WBAL, WCAO, WCBM, WFBR)

DENVER

Network Units	Local Units	National Spot Units	Total Units
8,145	4,419	1,810	14,374
8,175	4,452	1,690	14,317
—0.4%	—0.7%	+7.0%	+0.4%

Included: KFEL, KLZ, KOA, KVOD)

DETROIT

Network Units	Local Units	National Spot Units	Total Units
9,643	12,348	4,431	26,422
9,596	12,293	4,895	26,784
+0.5%	+0.4%	—9.5%	—1.4%

(Included: CKLW, WJBK, WJR, WMBC, WWJ, WXYZ)

SALT LAKE CITY

Network Units	Local Units	National Spot Units	Total Units
7,976	2,315	630	10,921
7,796	2,317	626	10,739
+2.3%	*.....	+0.6%	+1.7%

(Included: KOYL, KSL, KUTA)

SAN FRANCISCO

Network Units	Local Units	National Spot Units	Total Units
11,072	3,264	2,062	16,398
10,896	3,620	1,936	16,452
+1.6%	—9.8%	+6.5%	—0.3%

(Included KFRC, KGO, KJBS, KPO, KSFO)

* No change.

CHICAGO

Network Units	Local Units	National Spot Units	Total Units
9,945	7,030	11,501	28,476
9,915	7,166	11,444	28,525
+0.3%	—1.9%	+0.5%	—0.2%

(Included: WBBM, WENR, WGN, WIND, WJJD, WLS, WMAQ)

DES MOINES

Network Units	Local Units	National Spot Units	Total Units
7,821	2,763	2,926	13,510
+2.4%	*....	+0.9%	+1.6%

* No change.
(Included: KRNT, KSO, WHO)

LOS ANGELES

Network Units	Local Units	National Spot Units	Total Units
13,337	8,871	1,312	23,520
13,208	9,018	1,481	23,707
+1%	—1.6%	—11.4%	—0.8%

(Included: KECA, KFI, KFWB, KHJ, KNX)

SAN ANTONIO

Network Units	Local Units	National Spot Units	Total Units
6,255	8,407	1,450	16,112
6,220	8,251	1,419	15,890
+0.5%	+1.9%	+2.2%	+1.4%

(Included: KABC, KMAC, KONO, KTSA, WOAI)

SEATTLE

Network Units	Local Units	National Spot Units	Total Units
6,337	11,302	640	18,279
6,357	10,774	692	17,823
—0.3%	+4.9%	—7.4%	+2.6%

(Included: KIRO, KOL, KRSC)

National Spot Accounts Currently Active

(According to Report from VARIETY'S 'Radio Market Cities')

ACCOUNT	AGENCY	TIME PURCHASES
American Chicle Co	Badger, Browning & Hersey	Announcements
American Chicle	Badger, Browning & Hersey	¼ Hours, ¼ Hour Sport News
American Chicle Co	Badger, Browning & Hersey, 5-Min News,	Hours
American Pop Corn	Buchanan-Thoma	Announcements
Antrol	J. Walter Thompson	Participations
Armand Co. (shave cream	Russel M. Seeds	Spots
Aurora Labs. (Clear-Again)	Arthur Meyerhoff	Announcements
Axion-Fisher (Himyar Shredded Tobacco)	Weiss & Geller	¼ Hours
Axion-Fisher Tobacco	Weiss & Geller	½ Hours
Barbasol, Kreml	Erwin, Wasey	10-Min. Sports Review
Beaumont Labs.	H. W. Kastor	¼ Hour News
Beaumont Labs. (Four-Way Cold Tablets)	H. W. Kastor	½ Hours
Beech-Nut (Beeches)	Newell-Emmett	Chain Breaks
Beech-Nut Packing	Newell-Emmett	Chain Breaks
Beech-Nut Packing (chewing gum)	Newell-Emmett	Station Breaks
Blue Ribbon Books	Northwest Radio, Announcements, 5 Mins.	
Bristol-Myers	Young & Rubicam, 5 Min News, Temperature Reports	Announcements
Dr. W. B. Caldwell (Malto-Meal)	Sherman & Marquette	Announcements
Campbell Cereal (Malto-Meal)	H. W. Kastor	Announcements
Chattanooga Medicine (Black Draught)	Nelson Chesman	¼ Hours
Chrysler Corp.	Lee Anderson	Announcements
Chrysler Corp.	J. Stirling Getchell	Announcements
Campbell Cereal (Malto-Meal)	H. W. Kastor	Announcements
Carter Liver Pills	Street & Finney	Announcements
Chrysler Corp. (De Soto)	J. Stirling Getchell	Announcements
Colgate-Palmolive-Peet	N. W. Ayer	Time Signals
Colgate-Palmolive-Peet	Ward Wheelock	Announcements
Colgate-Palmolive-Peet	Ward Wheelock	Chain Breaks
Colgate-Palmolive-Peet	Ward Wheelock	Station Breaks
Conti Products	Bermingham, Castleman & Pierce	Announcements
Congress Cigar	Marschalk & Pratt	½ Hours
Consolidated Drug	Benson & Dall	½ Hours
Conti Products	Bermingham, Castleman & Pierce	Announcements
Drake Bakeries	Young & Rubicam	Announcements
Dwight Edwards Coffee Co	McCann-Erick	Announcements
Fels & Co.	S. E. Roberts	¼ Hours
Ford Dealers	McCann-Erick	Time Signals
Gude's Pepto Mangan	Morse International	Announcements
Hebrew Evangelization Society	Tom Westwood	½ Hours
Household Magazine	Presba, Fellers & Presba	¼ Hours, ½ Hours
International Harvester	Aubrey, Moore & Wallace	Spots
International Harvester	Aubrey, Moore & Wallace	Announcements
Andrew Jergens	Lennen & Mitchell	Full Hours
Kellogg Co.	Kenyon & Eckhardt	Announcements
Kellogg Co.	Kenyon & Eckhardt	Announcements
Lever Bros.	Ruthrauff & Ryan	¼ Hours
Kellogg Co.	Kenyon & Eckhardt	Announcements
Kemp & Lane (Balsam)	F. A. Hughes	Station Breaks
Lever Bros. (Silver Dust)	BBD&O	Station Breaks
Little Crow Milling (Coco Wheats)	Rogers & Smith	¼ Hours
Macfadden Pubs. (True Story)	Ruthrauff & Ryan	Station Breaks
Manhattan Soap Co.	Franklin Bruck	¼ Hour News
Manhattan Soap Co.	Franklin Bruck	Participations, Station Breaks
B. Manischewitz Co. (soup)	A. B. Landau	Station Breaks
Marlin Firearms (razor blades)	Craven & Hedrick	Announcements
Martinson's Coffee	Al Paul Lefton	Station Breaks
Mission Bell Wines	Firestone Adv.	Announcements
John Morrell (Red Heart Dog Food)	Henri, Hurst & McDonald	Chain Breaks
John Morrell (E-Z Cut Hams)	Henri, Hurst & McDonald	Participations
Neighbors of Woodcraft	Mac Wilkins & Cole	½ Hours
O-Cedar Corp.	H. W. Kastor	Participations
Olson Rug Co.	Presba, Fellers & Presba	¼ Hours, Participations
Packard Motors	Young & Rubicam	Announcements
Penick & Ford (My-T-Fine Desserts)	BBD&O	Announcements
Peter Paul (candy)	Platt-Forbes	Announcements
Philco Radios	Hutchinson Adv.	¼ Hours
Pillsbury Flour Mills	Hutchinson Adv.	Announcements
Lydia E. Pinkham	Erwin, Wasey	Announcements
Pittsburgh Coal	Walker & Downing	Announcements
Planters Nut & Chocolate	Raymond R. Morgan	Announcements
Longines-Wittnauer	Arthur Rosenberg	Announcements
Manhattan Soap Co.	Franklin Bruck	¼ Hours, News
Megowen-Educator Food Co. (Crex)	Badger & Browning	Participations
National Refining	Sherman K. Ellis	Announcements
Nehi Corp (Royal Crown Cola)	BBD&O	5-Mins.
North American Accident Insur.	Franklin Bruck	¼ Hour News
Dr. Pepper	Benton & Bowles	½ Hours
P & G	Compton Adv.	Station Breaks
Penick & Ford (My-T-Fine Desserts)	BBD&O	Announcements
Lydia Pinkham	Erwin, Wasey	Announcements
Princess Pat	Frank R. Steel	½ Hours
Quaker Oats	Ruthrauff & Ryan	½ Hours
uaker Oats	Ruthrauff & Ryan	¼ Hours
Ralston Purina	Gardner Adv.	¾ Hours
Ralston Purina	Gardner Adv.	¾ Hours
Rockwood Candy	Federal Adv.	5-Min.
Reader's Digest	BBD&O	Announcements
Reid, Murdoch	Rogers & Smith	Announcements
Red Heart Dog Fo	Henri, Hurst & McDonald	Participations
Rockwood Chocolate Co.	Federal Adv.	Announcements
Savarin Coffee	M. H. Hackett	¼ Hours
Sheaffer Pen	Russel M. Seeds	Announcements
Sheaffer Pen Co.	Russel M. Seeds, Announcements,	Time Signals
Simon & Schuster (income tax manual)	Northwest Radio	Announcements
Savarin Coffee	Gussow-Kahn	Announcements
W. A. Sheaffer Pen C	Russel M. See	Station Breaks
Simon & Schuster (Books)	Northwest Radio	5-Mins.
Standard Brands (Chase & Sanborn Coffee)	J. Walter Thompson	Station Breaks
Standard Oil of Indiana	McCann-Erickson	Announcements
U. S. Playing Cards	J. Walter Thompson	Announcements
U. S. Lines	J. Walter Thompson	Announcements
Vick Chemical	Morse International	Announcements
Vick Chemical	Morse International	Announcements
Walker Remedy Co.	Weston-Barnett	Announcements
Waltham Fountain Pen	United Adv. Service	5-Mins.
Walker Remedy Co.	Weston-Barnett	Announcements
Ward Baking	Sherman K. Ellis	Announcements
Webster-Eisenlohr	Roberts & Reimers	Announcements
Wheatena Corp.	Compton Adv.	½ Hours
White Labs. (Choc	H. W. Kastor	Announcements
Wilson Co. (Ideal Dog Food)	U. S. Advertising	Weather Reports
Washington State Apples	J. Walter Thompson	Announcements
George Washington Tobacco	Wm. Esty	Announcements
Stephen F. Whitman (candy)	Ward Wheelock	Station Breaks
Wm. H. Wise (books)	Northwest Radio	¼ Hours
White Labs. (Chooz)	Wm. Esty	Announcements
Wilson & Co. (Ideal Dog Food)	U. S. Adv.	¼ Hours
Wm. Wise (Books)	Northwest Radio	5-Mins.

DEPARTMENT STORES BUYING RADIO TIME LAST WEEK

STORE	CITY	TIME PURCHASES
Broadway Dept. Store	Denver	Announcements
Bullock's Dept. Store	Los Angeles	¾ Hours
Crowley-Milner Dept. Store	Detroit	Announcements
Marshall Field & Co.	Chicago	Time Signals
Roos Dept. Store	Salt Lake City	Announcements

GEN'L BAKING ON TWO STATIONS IN BALTO

Baltimore, Feb. 25.

General Baking Co. bought on both WCAO, local CBS outlet, and WBAL, which carries the NBC Blue and Mutual webs hereabouts, this week. Business made up some of the activity reported in the national spot classification by all stations.

Town's newest radio entry, WITH, will get under way with gala inaugural exercises March 1. Some assistance from ASCAP by way of noted tunesmiths in person expected to help ballyhoo event for only local station licensed by Society.

Reallocation of frequencies by FCC, effective March 29, will put WBAL on 1090 kilocycles until 9 p.m. and synchronized with WJZ on 770 kilocycles after 9 p.m. Will retain 1,090 slot full time when new 50,000-watt setup recently granted, goes into effect early in spring.

Rounding out its staff in preparation of jump to greater power, WBAL this week put on Harold Azine, formerly of WLS continuity department. Azine will pitch in as a writer and producer.

WFBM, Chrysler Motors (Dodge), three five-minute newscasts a week through Ruthrauff & Ryan; Benson & Hedges, three 10-minute afternoon newscasts a week via Maxon, Inc.

WCAO, General Baking Co., daily participations on a.m. 'Your Friendly Neighbor' through Ivy Ellington of Philadelphia.

WBAL: General Baking Co., 220 a.m. quarter-hour strips by direct wire pickup from WFIL, Philadelphia, arranged by Ivy & Ellington; Gardner Nursery, three five-minute programs a week through Northwest Radio; Royal Crown Bottling Co., through BBD&O, 78 quarter-hour shows to be used three a week; Vick's renewed thrice-weekly participations on 'Women In the News' through Morse International; John Morrel & Co. (Red Heart Dog Food), through Henri, Hurst & McDonald, 13 announcements.

WCBM: Ranger Joe (cereal), 13 spots; Stylplus Clothes, three-a-week quarter-hour airings of 'Take a Number' for one year.

Harlingen, Texas, License

Harlingen, Texas, Feb. 25.

A construction permit has been granted by the Federal Communications Commission to the Harbenito Broadcasting Co. here.

New station will operate on 1240 kilocycles with 250 watts power, unlimited time.

WHO'S NEW ACCOUNTS

Consolidated Products Buys Barn Dance—Spots for O'Cedar

WHO: Household Magazine, through Presba, Fellers & Presba, 'Three H Boys,' 12 quarter-hours; Ralston Purina Co., through Gardner Advertising, 39 quarter-hour programs; Cleveland Cleaner & Paste Co., through Campbell-Sanford, 30 100-word announcements, five weekly; Hi-Lex Co., through The McCord Co., 49 announcements, 65 and 30 words each, seven weekly; Dr. Salisbury's Laboratories, through N. A. Winter Advertising Agency, 36 announcements, three weekly; Carter Products Co. through Spot Broadcasting, 364 30-word announcements; Feminine Products, Inc., through Spot Broadcasting, 120 one-minute announcements, three weekly; Omar, Inc., through Hays MacFarland & Co., 'Musical Meditations,' 13 quarter-hour periods; North American Accident Insurance Co., through Franklin Bruck Adv. Corp., 13 quarter-hour periods, once weekly; Colgate-Palmolive-Peet Co., through Ward Wheelock Co., 260 thirty-word announcements, five weekly; O'Cedar Corp., through H. W. Kastor & Sons, 65 one-minute announcements, five weekly; Consolidated Products Co., through Mace Advertising Agency, 'Iowa Barn Dance Frolic,' 13 half-hour periods.

Milt Hill, WHK-WCLE, Cleveland, press agent, recuperating in Woman's hospital after recent operation.

STAG BEER INTO 20 MIDWESTERN CITIES

St. Louis, Feb. 25.

Gardner agency, which has taken over Griesedieck-Western Brewery Account (Stag beer), has made an adjustment whereby radio will be one of the advertising mediums which will be used during 1941. A. W. Neally, v.p. of the Gardner Co. is account exec and said a singing limerick radio spot program, the first of its kind for a suds concoctor in this section, will be placed in stations in 20 key cities in the Midwest, South and Southwest. A St. Louis composer furnishes the music for the humorous limericks that are composed in the advertising agency and are warbled by a trio.

The radio programs will augment visual advertising in newspapers and billboards. Neally said the reason for the singing limericks is that it has proved to be more entertaining than straight word-for-word bally.

Virginia Newcomer Readying

Lynchburg, Feb. 25.

New 250-watter for Covington-Clifton Forge, Va., will be ready to take air about May 15. Owned by Arrington & Arrington, operating WCHV. Charlottesville station will have studio in a Clifton Forge hotel. Tower is being built.

John F. Arrington, senior member of firm, in charge of construction.

WELCH DISCS EXTENDED ON WOAI

San Antonio, Feb. 25.

Biz continued at a brisk pace here, with only a few points lost in any one department this week.

WOAI: Auge Packing Co., through Coulter-Mueller-Grinsted, three announcements per week; renewal, Welch Grape Juice Co., through H. W. Kastor & Son, 13 weeks for Irene Rich transcribed quarter-hour of 'Dear John,'; Packard Motor Car Co., through Young & Rubicam, seven announcements per week for two weeks; Ed Steves and Sons, through Coulter-Mueller-Grinsted, seven 100-word announcements per week; West End Lumber Co., two announcements per week for one year, direct; Starkist Flotation Toothpaste Co., direct, quarter-hour studio program each Sunday; Dr. Pepper Bottling Co., through Benton & Bowles, half-hour transcribed 'Dr. Pepper Parade'; Yerby Foods, Inc., for Peter Pan Peanut Butter, announcements.

KABC: Renewal from Blackett-Sample-Hummert of five daily quarter-hour programs through Texas State Network; Wolf Nursery Co., quarter-hour program each Monday, Thursday and Saturday mornings through TSN; Automobile Trading Post, one spot per day for 50 days; Meads Scalp Specialist, 100 one-minute announcements, six per week, as well as a five-minute program each Tuesday, Friday and Saturday; Wolff and Marx, for Rhythm Step Shoes, two one-minute announcements per week; Interstate Theatres, Inc., two quarter-hour programs for 'Man Who Came to Dinner'; Sontag Drug Stores, five announcements per week; Alamo Beauty College, five-minute program each Monday, Wednesday and Friday on Jerry Lee Pechts' 'Let's Dance' program; Tankersley's, one spot to be used Saturday (22).

BLURB-HAPPY DENVER

Diversity of Accts Hypos Spot—Union Pacific R.R. on KOA.

Denver, Feb. 25.

Sales ran to announcements with the exception of 156 quarter-hours sold by KLZ to Denver dress shop, and 12 quarter-hours sold to Simon & Shuster by KOA.

KLZ: Packard Motor Co., through Young & Rubicam, 17 announcements; Amter's Paramount Fashion Shop, through Raymond Keane, three quarter-hours weekly, one year.

KOA: Union Pacific Railroad, through Caples Co., 156 announcements; Faultless Starch Co., through Ferry-Hanly, 48 announcements; Simon & Schuster, through Northwest Radio, 12 quarter-hours.

KFEL: Announcement service to Alaska Quilters, Tuxall Uniform Mfg. Co., Williams Bake Shop, Sheridan Blvd. Service, Hurley's Radio Service Co., Albert's Cafe, Austin's Meats, Crestmoor Beauty Salon, Grovesteen & Reed Furniture Co., Guaranteed Heating Service, Lou's Poultry & Egg Shop, Loop Store, Craftsman Painters & Decorators, W. B. Barr Lumber Co., Denver-Los Angeles Trucking Co., Grimes Florist, Lock Joint Pipe Co., Gerlet's Crain & Milling Co., Kurland Motors, Kelly Coffee Co., Atlas Drug Co., Hollywood Dance Hall, Cream-Way Creamery, Cawood Brothers, Dawdey's Service Station and Walt's Inn.

New Biz in Abilene

Abilene, Texas, Feb. 25.

One contract for four 15-minute programs a week and nine spot announcement deals have been placed on KRBC, local Mutual outlet. Four-a-week series is for Wrigley gum, placed by the Meyerhoff agency.

Companies taking spots include Plough Sales Corp., through Lake-Spiro-Shurman agency; Crustene shortening, through Franke-Wilkinson & Schiwetz; International Harvester, through Aubrey, Moore & Wallace; White Swan coffee, through Albert, Evans & Lemay; K. C. baking powder, placed direct; William Cameron, through Tracy-Locke-Dawson; Burleson honey, through Rogers & Smith; Purina mills, placed direct, and Servel refrigerators through Couchman.

SONGWRITERS IN UNIFORM

ASCAP Decree Sidelights

Gene Buck and attorney Louis Frohlich engineered the retention of Charles Poletti, of the Milton Diamond law firm, as special counsel.

E. C. Mills, chairman of the executive committee, was the direct contact in swaying David Bernstein, the Loew-Metro v.p. and treasurer, not to bolt ASCAP with his three music firms, Robbins, Feist and Miller.

The 1941 decree legalizes the money-allocating system that was in effect in 1935. It was then that the seniority, availability and performance system was inducted. Now the performances aren't salient and 'prestige of works' is the substituted thought for seniority and availability. ASCAP insiders aver, however, that performances 'will naturally figure importantly in future computations,' although how is not detailed. It's no secret that the best break for the smaller publishers has been the number of performances, because any firm, large or small, if getting a big enough hit, will get lots of plugs.

Julian T. Abeles, Metro copyright lawyer, who sat in on the consent decree ratification meeting of the ASCAP board of directors, last week, was instrumental in abbreviating the ratification rider which publisher members were required to sign. Abeles objected to the 'needless whereases' and suggested to Louis Frohlich, ASCAP counsel, that a much simpler document be substituted. Frohlich agreed.

Abeles contended that a wordy and involved document could commit his three companies for provisions in excess of the 10 years which all ASCAP members are now bound. He added there was no telling what 10 years from now might eventuate for the music business.

Publishers object to one interpretation in the decree that it recognizes the proprietary rights of the writer with the publisher. This 'co-tenants in common' on a copyright has been a sore spot in publisher-author relations. The pubs take the position that if Harms, Inc., owns the copyright, that's that, and the writers haven't anything to say about the administration of the songs that the copyrights cover. It was a major argument during the board sessions last week and Oscar Hammerstein, II, was adamant it be put to a two-thirds vote, to determine whether there will be another squabble over that clause. It was voted in.

Thurman Arnold is supposed to have brushed off Sidney M. Kaye, the BMI legulist-exec, that 'it doesn't concern you or BMI what is put into the ASCAP decree.' Kaye stressed that since he represents ASCAP's biggest customer—the broadcasters, directly and indirectly through BMI—it did concern him. Arnold then refused to go into it further.

The $24,000 fines under the Government consent will probably be refunded by the U. S., although that's not confirmed. The Society was penalized $5,000 and the 12 publisher-directors, representing 19 different music firms, were assessed $1,000 per company or an additional $19,000.

If only because ASCAP succeeded in getting it into the decree that the Society can charge at the source, the masterminds of the organization concede that 'Poletti more than earned his 50 grand.'

Songwriters Overshadow Publishers?

That's One Sense of Settlement With Government in Business Men's View

A new facet on the ASCAP consent decree is music publisher discontent that 'the songwriters are running the Society.' Others, more magnanimous at this turn in the weight of power, concede that the writers' cause perhaps was the major issue that influenced the U. S. to accord ASCAP an improved decree over the originally severe terms.

Gene Buck, as president, and his known sympathies for the writers, thus becomes the target for criticism from some sources. They emphasize that songwriter-directors like Fred Ahlert, Edgar Leslie, Oscar Hammerstein II, George W. Meyer, Otto Harbach, Deems Taylor and Irving Caesar are in the saddle.

Until the official consent decree is issued and its terms analyzed, it is charged by some that all the U. S. has done is to legalize many of the things with which ASCAP's rank-and-file took exception. For example, the clause that the directors shall be elected by the membership-at-large but 'according to the standing in the Society' means an unusual influence of power, virtually making possible a self-perpetuating board.

Some of the publisher board-members aver that they never knew the terms of the proposed negotiations until it was done and over with. They don't like the idea, either, that songwriters can license performance fees with the consent of the publishers.

They state they're back to five years ago when the 'works of prestige' clause figured. In 1935 availability, seniority and performances were inducted, the idea being a mathematical computation. Now this is held to have been dissipated.

Clicks Sans Radio

First tops sheet music seller made without the benefit of network plugs since the war between ASCAP and the radio industry began is 'San Antonio Rose,' published by Irving Berlin, Inc.

Tune has been making strong progress in the coin-machines and on the phonograph record counters.

ASCAP TUNES NEEDED P.D.Q.

It's no secret that the ASCAP-radio war was and is a windfall for an already booming record business, in that it compelled the public to get certain song favorites on wax, or not at all. But the discers aren't sorry that a possible settlement is in view.

The need for new song material, such as the ASCAP membership alone can grind out, is becoming acute and, if it takes another couple of months to effect a new radio deal, it will be just about the limit of public endurance.

Even ASCAP licensees, some 175 Indie stations, have been beefing anent an insufficiency of new pop music. The Society member-publishers have frankly been disinclined to 'waste' potential hits on a limited market, living in the hope of an early settlement.

BRITISH STILL ACTIVE MUSICALLY

Many Composers in Army, Navy and with Air Raid Guards Continue Their Professional Work on Side—Latest Hit, 'Bless 'Em All,' Written by Two Men With the Colors

PARTIAL LIST

London, Feb. 1.

Many of the English songwriters are in the army but continue their songwriting. In fact, many of them have turned out hits since donning khaki.

Here's a partial list:

Eric Maschwitz, author of 'Balalaika' and his more recent successful revue, 'New Faces,' is now a captain attached to the War Office. But he can still manage to write a second edition of 'New Faces,' which comes to the West-End in March.

Hal Hallifax, author of 'Penny Serenade,' is also a captain, in the Royal Engineers.

Jimmy 'South of the Border' Kennedy is now a second lieutenant, and still busy writing numbers.

Aircraftmen Sid Colin and Ronnie Hill have written a hit song since joining the Air Force in 'If I Only Had Wings,' and are now busy on another number.

'Hencker's Dream'

Captain David Heneker (attached to the War Office) is credited with a couple in 'There Goes My Dream,' and 'Much More Lovely,' and has by no means exhausted his writing proclivities.

Flight Lieutenant John Barnes has just completed 'My A.C.W.2,' dedicated to the gals in the Royal Air Force, which is about to be published.

Ross Parker, of 'There'll Always Be An England' fame, is now a Naval Cadet, but he's managed to turn out another hit in 'Mem'ries Live Longer Than Dreams.'

Sergeant Phil Park has scored a bull's-eye in 'Oh, What A Surprise for the Duce,' despite his military duties in the Royal Army Ordnance Corps.

Paddy Roberts and Sonny Cox (Box, Cox and Roberts) who have 'Old Faithful,' 'When the Poppies Bloom Again,' and other successes to their credit, have just completed their latest, 'The Wagon Wheel Is Broken.' Former is pilot in the Royal Air Force, and latter is a naval officer.

Writer of 'Speak to Me of Love,' Bruce Sievier, is now a squadron leader in the Air Force.

Vivian Ellis, who is responsible for the entire score of the Jack Hulbert-Cicely Courtneidge new show, is a lieutenant in the Navy.

Bert Reid, author of 'Quartermaster's Stores,' is a quartermaster sergeant in the Royal Fusileers; while Jim Church, of 'Arm in Arm Together' fame, is a private in the Royal Army Ordnance Corps.

George Posford, who has just completed 'Mississippi Mama,' specially written for Adelaide Hall, is fireman in the defense service.

'Bless 'Em All,' number just published, has already sold over 100,000 copies, and has been voted as likely to prove the war song of this year. It was written by Jimmy Lally and Frank Kerslake. Former is a defense fireman and latter is in the Royal Air Force.

Form Melodies Corp.

Albany, Feb. 25.

The Melodies Schenectady Corp. has been chartered to conduct a business in providing music for restaurants, grills, etc., with principal office in Schenectady. Capital stock $20,000, $50 par value.

Directors, each holding 22 shares of stock, are: Albert N. Gordon and Andrew M. Gibeau, of Albany, and John F. Krause of Schenectady.

Poletti Calls ASCAP 'Stronger'; Writers Regret Slow Mechanics of Bd. Change

Anti-Poletti Bill

The N. Y. State legislature yesterday (Tuesday) received a bill in Albany that would prohibit high state officials from engaging in outside business. The proposed measure came as result of the revelation that Lieut. Gov. Charles Poletti had received a $50,000 fee as counsel for the American Society of Composers, Authors and Publishers in its negotiations with the Department of Justice.

Senator Walter Mahoney and Assemblyman Harold Ehrlich, Erie Republicans, introduced the bill.

ASCAP CONSENT BEFORE COURT MARCH 3

The presenting of the consent decree between the Department of Justice and the American Society of Composers, Authors and Publishers was delayed until March 3 on Monday (24), in the N. Y. federal court, as a result of slight revisions of the decree already tentatively agreed upon. Judge Henry Warren Goddard is putting the case over, declared that on March 3 he would also hear objections to the decree.

Procedure will be a dismissal of the six year old Civil action which has been pending in the court, the filing of the new suit, and a consent decree ending the new suit, all at the same time. Present in court were Victor O. Waters, and Warren Cunningham, Jr. for the Department of Justice; Milton Diamond and Herman Finkelstein for ASCAP, John G. Paine, general manager and Herman Greenberg, assistant manager of ASCAP. It is understood that the changes in the decree as already approved by ASCAP members will include the incorporation in it, of the letter sent by the society to its members.

This letter modifies the body of the decree by limiting the options open to radio stations in licensing music from ASCAP.

Thompson Out as ASCAP Publicity Down to Bone

Order has gone through from ASCAP general headquarters disbanding Coast publicity department and releasing William Thompson.

Robert Murray remains publicity chief in New York with Dan McNamara continuing as general aide to E. C. Mills. Murray succeeds to the post vacated by A. P. Waxman.

THERE'S STILL DUFFY

Milton Diamond Will Get the Wisconsin Appearance Chore

Before ASCAP can consider itself entirely out of the dukes of the Federal government it has to clear up another piece of litigation and that's the suit which the Department of Justice filed in Milwaukee several weeks ago. In this instance it will face one of its bitterest foes, Federal Judge Ryan Duffy, who while in the U.S. senate introduced a bill to emasculate ASCAP's powers under the copyright law.

The ASCAP board has agreed to have Milton Diamond represent it before Judge Duffy in filing the consent decree and taking a plea of nolo contendere. Industry legalites have raised the question whether this move will be legal unless it receives the ratification of the ASCAP membership.

General meeting of the ASCAP membership at the Astor hotel, N.Y., last Thursday night (20), which had been called to ratify the consent decree, was marked by a storm of approval when Charles Poletti, special ASCAP counsel and N. Y. lieutenant-governor, explained that under the decree the ASCAP board would hereafter be elected by the members. In subsequent discussions among themselves the writers members came to the realization that this provision was pretty much of a joker since it did not require the present writer faction on the board to make more than one change year.

Matter of voting for this one director will be taken up at a special meeting which will be called in anywhere from 30 to 60 days, if not later. This same meeting will also adopt the modification of the bylaws entailed in the acceptance of the consent decree. Sentiment among writers strongly favors the resignation of the entire representation of popular songwriters on the ASCAP board so that their confreres in the ranks may decide whether they want to retain them in office or make replacements. The boardmen named in these outside discussions are Irving Caesar, Fred E. Albert, George W. Meyer, Edgar Leslie, and Johnny Mercer. All but Mercer have been on the board for many years.

Meeting which ratified the decree was attended by around 700 members and there wasn't a single dissenting voice. Only one that spoke at length was Poletti, who after explaining each item in the decree, gave it as his opinion that the Society had come out of its joust with the U. S. Department of Justice stronger than ever. The angles, he said, which put ASCAP under a pall of illegality had been dispelled and that in the eyes of the law and the public ASCAP could now be considered as operating entirely as a lawful business enterprise.

NEW RADIO COMMITTEE

New radio negotiating committee on behalf of ASCAP retains three of the original quartet, with Irving Caesar dropped, and John O'Conor replacing him. Walter Fischer, Oscar Hammerstein 2d and Herman Starr, who was chairman of the first committee, continue. They, in turn, are now augmented by ASCAP's three paid officers, Gene Buck, John G. Paine and E. C. Mills, whereas heretofore the Starr committee alone functioned.

Also this realignment, instead of being two writers and two pubs, sees Hammerstein as the lone songsmith on the radio committee.

Gerald Griffin's Question

The ASCAP handicappers are already laying odds who will be ousted from the board and who will succeed. The makeup of the new Society board, under the decree, right now is the No. 2 interest only to doping how soon a radio contract with the networks will be negotiated.

At the general membership meeting of the Society at the Hotel Astor, N.Y., one songwriter, Gerald Griffin, asked Charles Poletti and Gene Buck from the floor 'what about the self-perpetuating board.' Buck stated that 'would come up in the course of events, undoubtedly the next meeting,' but that the immediate business in hand was the ratification of the U.S. consent decree.

NEW BMI CATALOG INDEX

Broadcast Music, Inc., last week put out the second volume of its general publication index.

The volume contains over 36,000 selections listed alphabetically, with 52 publishers represented.

Text of ASCAP'S Consent Decree with U.S.A.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK, FEBRUARY TERM, 1941

UNITED STATES OF AMERICA, *Plaintiff*,

AMERICAN SOCIETY OF COMPOSERS AUTHORS AND PUBLISHERS; GENE BUCK, PRESIDENT; GEORGE W. MEYER, SECRETARY; AND GUSTAVE SCHIRMER, TREASURER, *Defendants*.

CIVIL DECREE

This cause came to be heard this 3rd day of March, 1941, the plaintiff being represented by Thurman Arnold, Assistant Attorney-General; John T. Cahill, United States Attorney for the Southern District of New York; Victor O. Waters, Special Assistant to the Attorney-General, and Warren Cunningham, Jr., Special Attorney; and the defendants being represented by their counsel, and having appeared and filed their answer to the complaint herein.

It appears to the Court that defendants herein have consented in writing to the making and entering of this decree, without any findings of fact, upon condition that neither such consent nor this decree shall be construed as an admission or adjudication that said defendants have violated any law.

It further appears to the Court that this decree will provide suitable relief concerning the matters alleged in the complaint filed herein and that by reason of the aforesaid consent of defendants and its acceptance by plaintiff it is unnecessary to proceed with the trial of the action, or to take testimony therein, or that any adjudication be made of the facts.

Now, therefore, upon motion of plaintiff, and in accordance with said consent, it is hereby

ORDERED, ADJUDGED AND DECREED

I. The Court has jurisdiction of the subject-matter set forth in the complaint and of the parties hereto with full power and authority to enter this decree, and the complaint states a cause of action against the defendants under the Act of Congress of July 2, 1890, entitled 'An Act to Protect Trade and Commerce Against Unlawful Restraints and Monopolies' and the acts amendatory thereof and supplemental thereto.

II. Defendants, Gene Buck, President of the American Society of Composers, Authors and Publishers; George W. Meyer, Secretary; Gustave Schirmer, Treasurer; and American Society of Composers, Authors and Publishers, its officers, directors, agents, servants, employees, members, and all persons acting or claiming to act on its behalf are hereby perpetually enjoined and restrained from entering into or carrying out, directly or indirectly, any combination or conspiracy to restrain interstate trade and commerce, as alleged in the complaint, by doing, performing, agreeing upon, entering upon or carrying out any of the acts or things hereinafter in this paragraph II prohibited.

(1) Defendant, ASCAP, shall not, with respect to any musical composition, acquire, assert any exclusive performing right as agent, trustee or otherwise on behalf of any copyright owner, its members, or other owner of the performing right, or pursuant to any understanding or agreement with such owner, or its members, to pay for such right a share of, or an amount measured by, the receipts or revenues of said defendants. Nothing herein contained shall be construed as preventing defendant, ASCAP, from regulating the activities of its members in the following respects:

(a) By requiring all moneys derived from the issuance of licenses by the respective members of defendant to be paid by the licensee to defendant and distributed in the same manner as other revenues;

(b) By requiring of its members that notice be given the defendant of their intent to issue licenses before the issuance of same;

(c) By requiring that the members refrain from issuing exclusive licenses to commercial users of music;

(d) By requiring, as a condition precedent to the issuance of a license by an individual member of the Society, the approval and consent, to be obtained by the licensor, of the composer (s), author (s) and publisher subject to such reasonable regulations as may be adopted by the Society for that purpose;

(e) By prohibiting the members from granting licenses or assigning to persons, firms, corporations or enterprises, including Broadcast Music, Inc., the right to license or assign to others the right to perform publicly for profit the respective copyrighted musical compositions of which performance rights are owned or controlled by the respective members of the Society.

NO TERMS DISCRIMINATION

(2) Defendant, ASCAP, shall not enter into, recognize as valid or perform any performing license agreement which shall result in discriminating in price or terms between licensees similarly situated; provided, however, that differentials based upon applicable business factors which justify different prices or terms shall not be considered discrimination within the meaning of this sub-paragraph; and provided further that nothing contained in this sub-paragraph shall prevent price changes from time to time by reason of changing conditions affecting its market for or marketability of performing rights.

(3) Defendant, ASCAP, shall not require, as a condition to any offer to license the public performance for profit of a musical composition or compositions for radio broadcasting, a license fee of which any part shall be (a) in respect of commercial programs, based upon a percentage of the income received by the broadcaster from programs in which no musical composition or compositions licensed by said defendant for performance shall be performed, or (b) in respect of sustaining programs, an amount which does not vary in proportion either to actual performance, during the term of the license, of the musical compositions licensed by said defendant for performance, or to the number of programs on which such compositions or any part of them shall be performed; provided, however, that nothing herein contained shall prevent said defendant from licensing a radio broadcaster, on either or both of the foregoing basis, if desired by such broadcaster, or upon any other basis desired by such broadcaster.

With respect to any listing or future performing license agreement on a per program basis of compensation with a radio broadcaster, defendant, ASCAP, shall not, if required by such broadcaster, refuse to offer either or both of the following basis of compensation which may be specified by the broadcaster:

(a) in respect of sustaining programs a per program license fee, expressed in terms of dollars, requiring the payment of a stipulated amount for each program in which musical compositions licensed by said defendant shall be performed;

(b) in respect of commercial programs, as per program license fee, either expressed in terms of dollars, requiring the payment of a stipulated amount for each program in which the musical compositions licensed by said defendant for performance shall be performed, or, at the option of the defendant, the payment of a percentage of the revenue derived by the licensee for the use of its broadcasting facilities in connection with such program.

In the event that defendant shall offer to license the public performance for profit of a musical composition or compositions for radio broadcasting upon either or both of the foregoing per program basis, and ASCAP shall offer to license such performance on a basis of compensation which shall not vary in direct proportion either to actual performances during the term of the licenses of the musical compositions licensed by said defendant for performance or to the number of programs on which musical compositions licensed by defendant shall be performed, defendant shall act in good faith so that there shall be a relationship between such per program basis and such other basis, justifiable by applicable business factors, including availability, so that there will be no frustration of the purpose of this sub-paragraph to afford radio broadcasters alternative basis of license compensation.

AT THE SOURCE

(4) Defendant, ASCAP, shall not license the public performance for profit of any musical composition or compositions except on a basis whereby, in so far as network radio broadcasting is concerned, the issuance of a single license, authorizing and fixing a single license fee for such performance by network radio broadcasting, shall permit the simultaneous broadcasting of such performance by all stations on the network which shall broadcast such performance, without requiring separate licenses for such several stations for such performance.

(5) With respect to any musical composition in defendant's catalog of musical compositions licensed for radio broadcasting and which is or shall be lawfully recorded for performance on specified commercially sponsored programs on an electrical transcription or on other specially prepared recordation intended for broadcasting purposes, said defendant shall not refuse to offer to license the public performance for profit by designated radio broadcasting stations of such composition by a single licensee to any manufacturer, producer or distributor of such transcription or recordation or to any advertiser or advertising agency on whose behalf such transcription or recordation shall have been made who may request such license, which single license shall authorize the broadcasting of the recorded composition by means of such transcription or recordation by all trade stations enumerated by the licensee, on terms and conditions fixed by said defendant, without requiring separate licenses for such enumerated stations.

(6) Defendant, ASCAP, shall not, in connection with any offer to license by it the public performance for profit of specific musical compositions by users other than broadcasters, refuse to offer a license at a price or prices to be fixed by said defendant for the performance of such specific (i.e., per piece) musical compositions, the use of which shall be requested by the prospective licensee; and shall not, in connection with any offer to license by it the public performance for profit of musical compositions by radio broadcasters, refuse to offer a license on a per performance or per program basis as provided for in paragraph II (3) hereof at a price or prices to be fixed by said defendant for the performance of such programs, the use of which shall be requested by the prospective licensee.

OVER-PLUGGING

(7) Defendant, ASCAP, shall not assert or exercise any right or power nor shall any of its members exercise any right or power to restrict from public performance for profit by any licensee of said defendant any copyrighted musical composition in order to exact additional consideration for the performance thereof, or for the purpose of permitting the fixing or regulating of fees for the recording or transcribing of such composition; provided, however, that nothing in this sub-paragraph shall prevent said defendant or its members from restricting performances of a musical composition in order reasonably to protect the work against indiscriminate performances or the value of the public performance for profit rights thereon or to protect the dramatic performing rights therein, or, as may be reasonably necessary in connection with any claim or litigation involving the performing rights in any such composition.

ELECTION OF DIRECTORS

(8) The Society shall not elect the members of the Board of Directors in any manner other than by a membership vote in which all author, composer and publisher members shall have the right to vote for their respective representatives to serve on the Board of Directors. Due weight may be given to the classification of the member within the Society in determining the number of votes each member may cast for the election of directors. Upon the expiration of the terms of office of the present directors, the provisions of this section shall apply to the election of their successors. Thereafter, not less than one-twelfth of the total membership of the Board of Directors shall be elected annually.

(9) Defendant, ASCAP, shall provide in its by-laws that the Society shall not distribute to its members the moneys received by granting the right to perform copyrighted musical compositions publicly for profit on any basis other than the number, nature, character and prestige of the copyrighted musical compositions composed, written or published by each member, the length of time in which the works of the member have been a part of the catalog of the Society, and popularity and vogue of such works, all to be determined in a fair and non-discriminatory manner.

CONDITIONS OF MEMBERSHIP

(10) Defendant, ASCAP, shall not require as a condition precedent to eligibility for author or composer membership in the Society the regular publication of more than one musical composition or writing by any person who regularly practices the profession of writing music and the text or lyrics of musical works.

III. The terms of this decree shall be binding upon, and shall extend to each and every one of the successors in interest of defendant, ASCAP, and to any and all corporations, partnerships, associations and individuals who or which may acquire the ownership or control, directly or indirectly, of all or substantially all of the property, business and assets of defendant, ASCAP, whether by purchase, merger, consolidation, reorganization or otherwise. None of the restraints or requirements herein imposed upon the defendant shall apply to the acquisition of or licensing of the right to perform musical compositions publicly for profit in the United States of America, its territories and possessions.

IV. For the purpose of securing compliance with this decree, and for no other purpose, duly authorized representatives of the Department of Justice shall, on the written request of the Attorney-General or an Assistant Attorney-General and on reasonable notice to defendant, ASCAP, made to the principal office of said defendant, be permitted (a) reasonable access, during the office hours of said defendant, to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or under the control of said defendant, relating to any of the matters contained in this decree; (b) subject to the reasonable convenience of said defendant and without restraint or interference from it, and subject to any legally recognized privilege, to interview officers or employees of said defendant, who may have counsel present, regarding any such matters; and said defendant, on such request, shall submit such reports in respect of any such matters as may from time to time be reasonably necessary for the proper enforcement of this decree; provided, however, that information obtained by the means permitted in this paragraph shall not be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Department of Justice, except in the course of legal proceedings in which the United States is a party or as otherwise required by law.

V. This decree shall become effective ninety (90) days after the entry hereof, except that the provisions of paragraph II, sub-paragraph (6) shall become effective nine (9) months after the effective date of the other provisions of this decree.

VI. Jurisdiction of this cause is retained for the purpose of enabling any of the parties to this decree to make application to the Court any time after the effective date hereof for such further orders and directions as may be necessary or appropriate in relation to the construction of or carrying out of this decree, for the modification hereof upon any ground for the enforcement of compliance therewith and the punishment of violations hereof. Jurisdiction of this cause is retained for the purpose of granting or denying such applications so made as justice may require and the right of the defendant to make such application to obtain such relief is expressly granted.

Radio In No Rush

Continued from page 1

would settle for with radio under a new contract, with the broadcasters working out the split formula, but this, according to ASCAP, was firmly rejected.

Bargaining Position

It has been suggested in some music and radio quarters that the two camps grease the ways toward a settlement by immediately calling an armistice, thereby arranging for the return of ASCAP music to the air pending the closing of contracts. The terms could then be made retroactive. Consensus of opinion among broadcasters strongly opposes such a solution. The vast majority of broadcasters feel that the longer ASCAP music remains off the air the stronger becomes their (radio's) bargaining position.

Within the N.A.B. it is readily admitted that its radio committee has no formula. The job of formulating a basis for contract, it contends, is entirely that of ASCAP. Before it sits down with ASCAP it will want to know how much ASCAP will want on a blanket deal, how much it will take on a flat revenue arrangement or guarantee, what sort of a detailed per piece or per program proposition it can offer, sustaining and commercial, and, if the deal is again to provide for a commercial percentage setup will it be considerably lower than the one contained in the contracts ASCAP offered radio last summer.

Future of BMI

The broadcasters have a concomitant nut that it must crack before it can complete a deal with ASCAP, and that problem is Broadcast Music, Inc. The questions to be answered are (1) is BMI to be continued that radio will always have a weapon in its dealing with ASCAP, (2) is BMI to be sold, (3) is it to be folded completely, or (4) should BMI be taken into ASCAP as part of the general settlement? In BMI broadcasting has a stake of between $3,000,000 and $3,500,000.

One N.A.B. boardman last week expressed the opinion that if radio and ASCAP can get together on a workable per program or flat income basis the fight will be settled within three months. Otherwise it will drag on for at least six months. Intimations have come from Washington sources that once the consent decrees have duly become part of the court records, the Department of Justice will issue a statement declaring that there is nothing now to prevent the broadcasters and ASCAP getting together and to prevent the American radio listeners from getting all the music to which they have become accustomed. Also that if the contestants keep stalling around too long the same Department will lend a hand in forcing quick action.

Dick Dorso, with William Morris office on the Coast, is coming east to work with Willard Alexander in the band department. Ed Fishman left for Hollywood last week, following dinner given by Morris staff, to take charge of Coast band activities.

Anthony Collins turned in a musical number, 'Mahotcha Rhythm,' for a dance sequence in 'Sunny' at RKO.

SETTLES OUT OF COURT

'Goodbye to Love' Action Washed Up In New York

Suit of Carl Field, Henry and Jeff Clarkson, songwriters, against 20th Century Fox Film Corp., Con Conrad, Herb Magidson and the Sam Fox Publishing Co. was settled out of the N. Y. federal court Thursday (20). Suit sought damages of $525,000 claiming plagiarism of plaintiffs' song, 'Goodbye to Love.'

It was claimed that 'Here's to Romance,' written by both individual defendants, published by Sam Fox, and used as the title and as a feature of the 20th-Fox film 'Here's to Romance,' was based on 'Goodbye to Love.' Damages of $25,000, plus estimated profits of $500,000, and an injuction were asked.

ASCAP—Before and After

UNDER CONSENT DECREE	BEFORE CONSENT DECREE
1. ASCAP is barred from asserting exclusive or sole rights to a member's works. Member may license directly, but not without authority of other parties sharing copyright, and not without permission of ASCAP. Members in no event may issue exclusive license to a commercial user of music or grant licenses or assignments to others for re-licensing, with Broadcast Music specifically coming under this taboo. All moneys derived from licenses issued by members directly must be paid directly to ASCAP for distribution in the same manner as other revenue.	1. ASCAP had exclusive performing rights of all members' works. Anyone was barred from dealing directly with a music user unless a commercial program wanted exclusive rights of a composition as theme song, or, rarely, for dramatic purposes on radio.
2. Enjoined from showing discrimination in prices or terms between similarly situated licensees except if justified by different business factors or changing conditions in marketability of performing rights.	2. In recent years ASCAP has sought to establish scales and formulas of various classes of licensees in place of previous system of licensing at what the traffic would bear.
3. Broadcasters have choice of doing business with ASCAP on per program, per piece or bulk fee basis, in case of either sustaining or commercial programs.	3. Broadcasters paid a stipulated sustaining fee per station and in addition a fee of 5% on all commercial business excepting religious programs.
4. Performing fee for network programs must be paid ASCAP at source and not by individual stations. Principle is innovation for relationship between ASCAP and networks.	4. ASCAP collected fee on network commercials from stations and issued no licenses directly to networks as such.
5. Advertiser has privilege when obtaining a mechanical right for transcription to demand performing licenses covering specified number of stations, with all such rights contained in a single license and at an inclusive price.	5. Advertiser using transcription was permitted only to obtain a manufacturing license through copyright owner's agent. Since ASCAP held the latter's exclusive performing right it was necessary for stations playing the transcription to have an ASCAP license, with ASCAP looking to the station for the commercial performing fee.
6. Users of music other than broadcasters must be given choice of ASCAP license on per performance, per program or bulk. This requirement does not become effective for nine months, whereas new arrangement with broadcasters becomes effective within 90 days.	6. Hotels, taverns, dancehalls, cafes, etc., are now licensed strictly on a flat fee basis, paid monthly. Under decree ASCAP is not required to drop this license form if licensee is delinquent in payments.
7. ASCAP is barred from restricting any tunes from public performance for purpose of collecting additional fee, excepting (1) reasonably to protect a work against indiscriminate performances which would tend to destroy its value (2) protect a work's dramatic performing rights (3) as reasonably necessary in connection with any claims or litigation involving a work's performing right.	7. ASCAP had privilege of pulling any work out of its playable catalog, with result that this practice was abused. Publishers and writers alike withdrew numbers at the least provocation and developed sidebusiness of collecting fees from commercial programs for theme and other uses.
8. ASCAP directors as their terms expire must be elected by general membership. Number of votes cast by each member may be determined by his classification within the Society. Only two new directors out of the 24 must be elected each year.	8. Membership had no voice in election of directors, these being self-perpetuating.
9. Distribution of royalties must be based on number, nature, character and prestige of a member's works, the seniority of a member's works, and popularity and vogue of such works.	9. This method, as far as publisher classification is concerned, was abandoned in 1935. Publishers have since been paid off on a more scientific, or mathematical, formula, to wit: 50% for performance, 30% for availability, or value of the catalog, and 20% for seniority. Clause as written into the decree protects the status quo of certain writers whose royalty shares have been under much fire from the ranks.
10. Writers to be eligible for admission on publication of one work, providing writing songs is regular occupation.	10. Minimum of five published songs required for admission, and even then it was a struggle to get in.

Publishers Guarding Status Quo

Existing Rights and Terms With Writers Protected by Resolution

Publishers on the ASCAP board last week succeeded in getting a resolution put through that would protect them against any changes in the basic contract between them and the writers as the result of the terms in the consent decree. This resolution agrees that nothing in the decree is to be construed as changing the existing rights which prevail in the society between publisher and writer members and makes this understanding binding for the next 10 years.

The resolution was heatedly opposed by Irving Caesar and when the vote was taken Caesar was joined in the negative count by Fred E. Ahlert, Edgar Leslie and George W. Meyer. Saul Bornstein, of Irving Berlin, Inc., introduced a measure.

Under the decree copyright owner may license his work directly provided he obtained the joint authority of co-writer and publisher and in order for this provision to become effective it was necessary to modify the membership agreement. It was feared by some publishers that some writers might construe this clause as giving them the right to a greater consideration than they have under their contracts with the publishers, which is 50% of the performing rights. The resolution makes it mandatory for all parties to a copyright to consult with ASCAP before issuing a license and served as the basis of the rider which writers signatured when they ratified the consent decree at last Thursday night's (20) meeting at the Astor hotel, New York.

Robert Daru Scores 'Smear'

Complaint against 'smearing' of many of the country's best-known songwriters by including them as co-conspirators in the criminal complaint filed by the Department of Justice against ASCAP was made last week. Protest was voiced to Assistant Attorney-General Thurman Arnold by Robert Daru, attorney for a group of ASCAP and non-ASCAP members which had previously filed charges with the Federal Communications Commission that broadcasters have acted against 'public interest, convenience and necessity' in establishing BMI.

Daru squawked to Arnold that the D. of J. complaint was self-contradictory. In one breath, he pointed out, the department says that the ASCAP board and directors were 'running the whole show and exploiting the membership.' Then it charges each member of the society with being a co-conspirator. 'It is not only inconsistent, it is superfluous and unfair,' Daru stated. He asked withdrawal of the charges against the ASCAP membership.

While in Washington Thursday (20), Daru also filed supplementary information on the petition previously presented to the FCC. His principal charge is that BMI stock was forced by various threats on stations affiliated with the networks.

Roy Newell and Louis Herscher will write tunes for Featurettes, Inc., producers of 'Three Minute Shorts' for the juke trade.

ASCAP Wisecracks

At the ASCAP consent-decree ratification meeting, Billy Rose called for a facetious 'silent prayer' for E. B. Marks, who bolted ASCAP for BMI, adding, however, that 'perhaps his conscience will take care of that.'

'His conscience is doing pretty well in Florida, I hear,' was another wisecrack, in retort.

WHN EXPLOITS ASCAP LINK, GETS PRESS PLUGS

WHN, New York, has been publicizing its status as an ASCAP licensee, particularly as regards its recorded programs. The result has been chatter items and program listings highlights the local papers. Programs featured involved the music of Victor Herbert, Ferde Grofe, Rodgers and Hart and George Gershwin.

In the past the papers confined their highlighting of recorded shows pretty much to classical and operatic fare.

Margaret Hartigan In RCA Promotion

Margaret Hartigan, longtime private sec to Charles O'Connell, manager of repertoire artist at RCA Victor, is now head of publicity in the Camden (N. J.) headquarters succeeding Richard Proskauer. Latter has joined Sheldon Coons in special merchandising consultation.

Young Proskauer is the son of former Judge Joseph M. Proskauer, personal attorney to David Sarnoff, et. al. James Stanley continues as press aide.

Edgar Leslie's Payoff Slide-Rule

Has Plan for Drastic Revision of ASCAP Dividend Disbursement Method—So Has Benee Russell

BMI's Picket

Hollywood, Feb. 25.

Picketing the building which quarters Broadcast Music, Inc., Dorothy Lapelle paraded in the rain for a few days with a sign reading 'BMI Unfair to Young Writers.' She said she'll stick it out until at least one of her ditties is accepted by Harry Engel, BMI head here. She also passed out leaflets with her own wordage castigating BMI and ASCAP.

Engel said he auditioned three of her numbers, but none was acceptable. He declared that 500 songs by new writers have been published by BMI in the past six months.

Edgar Leslie, songwriter member of the ASCAP board, has been working on an ASCAP dividend system for songwriters which 'the 10 Downing street of Tin Pan Alley,' Lindy's, votes almost infallible for practical usage. Name songwriters and those up-and-coming, who have heard of it, alike agree that it's the fairest system yet devised. Another songsmith with a claimed panacea for those 'Quarterly ASCAP Divvy Blues' is Benee Russell. He is hudding with Charles Poletti this week to set forth his plan, and will turn it over to Gene Buck.

General idea is that the arbitrary classifications are out; that a song hit writer must battle his way through many years of traditions and red-tape obstacles before he achieves a suitable classification, whereas the very year in which his hit or hits are widely performed, he might be earning a pittance relatively.

It also affords a very good financial 'cushion' for the veteran songsmiths, with accumulated catalogs but who may at the moment be 'written out,' and still it avoids the objections, as aired currently, that many of these inactive tunesmiths are getting far beyond their worth.

Leslie's is a mathematical system and his intimates are certain that, and when the new order of things within ASCAP assert themselves that this will be the happy solution.

Prime idea is that it raises the earning potentials of songsmiths in the lower-divvy brackets, and since these constitute the rank-and-file membership it will automatically eliminate a majority gripe against the ASCAP system of dividends. True, since the money must come from somewheres, it will cut down on some of the sinecures that the Society's so-called 'inner circle,' sentimental veterans, and others have enjoyed, but the most influential proponents and endorsers of Leslie's songwriter-royalty plan are among the oldtimers.

Treat Holdouts As Culprits, Sez Kennedy

Washington, Feb. 25.

Proposal for federal price-fixing in connection with performing rights is the latest repercussion from the tug of war between the broadcasting industry and Tin Pan Alley. Fundamental change in the whole theory of the copyright system, a move to protect 'the public against fraud, extortion, exorbitant rates and similar abuses,' would be made by a bill introduced in the House last week by Rep. Martin J. Kennedy, New York Democrat.

The panacea for the radio-music war is in effect an amendment to the Federal Trade Commission act, declaring that performing rights are clothed with the 'public interest' just as broadcasting licenses. Anybody refusing to make music available for public performance on 'fair and reasonable' terms would be guilty of unfair competition. Penalties range from loss of the copyright to $5,000 fine and one year behind the bars.

Kennedy proceeds on the theory that the public is entitled to whatever music it wants and the copyright act confers a monopoly only for the purpose of encouraging talent, not to the extent of allowing creators to dictate take-it-or-leave-it terms. The bill would not apply to individuals, however; only to 'two or more persons, owners, assignees or possessors of a United States copyright on any musical production.'

Unique feature of the Kennedy bill—a drastic departure from the philosophy behind American copyright and patent laws—is the provision for recapture and auctioning of the copyright. Stubborn individuals could be proceeded against in the Federal courts and the copyright could be confiscated 'if the Commission has reasonable cause to believe that the owner, licensee or possessor of such copyright has refused to comply with the order of the Commission.' Then the copyright would be peddled to the highest bidder at a public sale or might be revoked altogether.

Ira Arnstein Sues BMI

Ira B. Arnstein, who has not been heard of much in the courts of late, filed suit Monday (24) in the N. Y. federal court against Broadcast Music, Inc., George Fragos, Jack Baker and Dick Gasparre. Plaintiff charges the plagiarism of his song 'Sadness Overwhelms My Heart,' written under the name of Richard Barton, in BMI's 'I Hear a Rhapsody.'

Plaintiff submitted his song along with 10 others to BMI in August, 1940. Defendants are accused of having retained the songs an unreasonable length of time and then returned them. An injunction, accounting of profits, and damages are sought.

Arnstein has been a prolific if unsuccessful litigant in the past against ASCAP and its writer-publisher members.

BMI LICENSES MAG LYRICS

Broadcast Music, Inc., has licensed two new songsheet mags to publish its lyrics. One is the 'Song Parade' and the other 'Prosperity Big Book.' Former, a five-center, will be published by the D. S. Publishing Co., which also puts out 'Dance Magazine,' while 'Big Book' will retail at a dime and be underwritten by the Charlton Publishing Co., the enterprise of a social registerite, Richard Mount.

These two deals serve as a wedge for BMI in the legitimate songsheet business. Heretofore this field, which has been held by 'Song Hits Magazine,' has been represented by none but ASCAP publishers. 'Song Hits' in its contracts with ASCAP pub is protected against the latter licensing other publications which specialize in reprinting song lyrics.

SHORTER SEASON AS BUDGET SOLUTION

Philadelphia, Feb. 25.

The controversy between the Musicians Union and the management of the Robin Hood Dell which threatened the cancellation of the summer al fresco concerts appeared to be settled this week. At a meeting between Dell officials and the musicians it was agreed that the Dell band will be made up of 90 men instead of the 80 proposed by the management. However, it was pointed out that unless $25,000 is raised by public subscription the season may be cut to seven weeks instead of the usual eight. The agreement is subject to ratification by the executive board of the union.

Samuel B. Rosenbaum, Dell prexy, said the outfit had suffered a $10,000 deficit last season and unless the 25 G kitty was raised the number of concerts must be slashed. Two weeks ago the Dell asked permission from the union to drop ten men, but it was refused. C. David Hocker, general manager of the concerts, then threatened to call the whole thing off.

Clear-Cut Legal Issue on Renewal Seen in Schirmer vs. Savino

G. Schirmer, Inc., has brought suit in the N.Y. federal court against the Robbins Music Corp. and Domenico Savino, now under contract to Robbins, to test the question of whether an original publishing contract in which the composer conveyed the renewal assignment is binding when the renewal of copyright becomes due and the composer goes through the procedure of registering the renewal. It is the first time that the renewal controversy has been revived in the music industry since ASCAP and broadcasting started their skirmishing last spring.

Francis Gilbert Schirmer's counsel, figures that this is the first clean-cut issue on the question of renewal rights since only the melodies are involved and there is no question of joint authorship, such as lyrics, to complicate the issue. The numbers involved are 'Prelude,' 'Gavotte Impromptu' and 'Scherzo,' all written by Savino and published by Schirmer in May, 1913. Savino renewed his copyright on the threesome in October, 1940 and conveyed the renewals he took out on them to the Robbins firm.

Savino's contract with Schirmer on the three compositions not only assigned the copyrights 'for such terms and renewals as may be practicable' but noted that 'this assignment also covers the right of renewal and copyright for a second term and any further period of copyright which may be granted hereafter.'

Only point on the question of renewals that has in recent years been decided by the courts concerns an employer for hire provisions. In that instance the courts have held that the original publisher holds the right of renewal. Another legal point which has puzzled the industry is whether the original publisher with a renewal binder may assert his right of renewal since the composer at that time conveyed something which the law supposedly doesn't invest him with until the time the right of renewal becomes due. Still another point raised on this issue is whether the writer has a legal right to convey the renewal before it comes due since in the event of his death the right of renewal might not be binding upon his heirs as the right did not materialize until they came into possession of the estate.

ROY VS. FEIST MUSIC OVER 'MY MARGARITA'

Leo Feist, Inc., applied to the N. Y. supreme court yesterday (Tues.) to vacate a notice of examination before trial served on Jack Bregman by Roy Music Co., Inc. Feist claims that Bregman is not an officer or director of the company, that plaintiff is guilty of laches, and that the questions sought to be answered are irrelevant.

Roy Music claims it acquired the copyright of a song called 'My Margarita' from the composer, Emma P. La Freniere, in 1934. It says that in April, 1938, defendants took a song entitled 'El Chance,' retitled it 'My Margarita,' and have been selling it as well as making phonograph records.

An injunction, accounting of profits and damages are sought. The defense also claims plaintiff brought the action after waiting two years and that plaintiff's song is in the public domain.

88-Year-Old Composer Disgorges All to BMI

Salem, Mass., Feb. 25.

Venerable Jean M. Missud, 88-year-old composer and bandmaster, this week shipped two tons of musical compositions to BMI for rearrangement and lyrics. The shipment includes music he has composed during the past 50 years as well as old-time songs and musical works collected during a period of 75 years.

Missud arrived in Salem on the U. S. Naval vessel 'Sabine' in 1869. He was born in Nice and a clarinet soloist under the bandmaster to the Prince of Monaco when the American ship visited the Riviera.

For the past 35 years Missud has been active in Salem's Philharmonic Hour of Music.

Future Member?

When meeting of ASCAP-members at Astor Hotel, N. Y., last Thursday (20) was thrown open to discussion question was voiced from floor whether there was anything in the consent decree to prevent BMI from joining as publisher-member of ASCAP. Replied Edgar Leslie, 'Nothing except our nostrils.'

GENE BUCK SEEKS OUT ON AUSTRIANS' SUIT

Gene Buck, as ASCAP prez, asked the N. Y. supreme court Monday (24) to dismiss the $99,658 suit which had been brought against him by four Austrian writers, now refugees in this country. The latter are Leo Ascher, Hermann Leopoldi, Franz Sobotka and Ladislas Szucs.

The foursome claim that the money is due them as royalties from AKM, the now extinct Austrian performing rights society. AKM, which was merged by the Third Reich with STAGMA, German performing rights society, has $57,994 owing to it by ASCAP, and it is this fund that the refugees are seeking. The theory under which they sued is that since the Nazis have deprived them of any right to recover this money in the Reich they have no recourse but to attach AKM funds held in this country by ASCAP, an affiliate of STAGMA and the whilom AKM.

Application for a dismissal resulted in a reserved decision Monday (24) by Justice Aaron Steuer.

MERCER-MORRIS' BUY

Pays $60,000 for Mayfair Music Catalog—Horowitz With It

Mayfair Music catalog, formerly Joe Davis, Inc., has been taken over by Mercer & Morris, Inc. Purchase price was $60,000. Willie Horowitz, who with Abner Silver bought the Davis catalog less than two years ago for around $70,000, goes with the deal on a year's contract as an M&M professional man.

With the closing of the Mayfair deal Mercer & Morris reshuffled its professional staff. Bobby Mellin and Chuck Rinker departed and Jack Ostfeld was retained.

Mayfair catalog includes 'Supposin,' 'After You're Gone,' 'I Ain't Got Nobody,' 'Basin Street Blues,' 'Sweethearts on Parade' and 'Rosita.'

Silver will continue the Lincoln catalog, with Henry M. Spitzer remaining as business head. Lincoln and Mayfair had been operated as joint enterprises by Silver and Horowitz.

Ex-Musician Introduces Anti-ASCAP Bill in N. C. Similar Action in Maryland

Charlotte, N. C., Feb. 25.

A bill was introduced before the North Carolina General Assembly this week that would assess a state tax and permit the levying of county and municipal taxes on all firms, individuals, and organizations charging fees for the use of musical productions under their control. The bill, introduced by Ed Tonissen of Charlotte, is aimed at controlling such groups as American Society of Composers, Authors and Publishers and at the same time have the effect of releasing ASCAP, and other controlled music for uncompensated general use. The bill provides that any organization charging for use of music under its control must have a license from the state before such charge can be made. The license would be $100 a year and the state in addition would receive 15 percent of the receipts obtained in the state by the organization.

The bill further provides that any county would be permitted to charge another $100 license and any city still another $100 license before permission should be given for the levying of the charge. The bill, it was frankly admitted by its author, would have the effect of freeing ASCAP-controlled music. Tonissen stated he was confident the bill would be passed.

Tonissen is a former professional musician.

Maryland Bill

Baltimore, Feb. 25.

A bill has been introduced in Maryland State Senate at Annapolis by Senator James J. Lindsay which would call for a $2,000 license to be issued by State Comptroller to any individual or body for right to resort to state court action to collect a royalty. License would be prerequisite to collection of royalties on copyrighted musical compositions, music books and recorded music for mechanical reproduction for radio programs or in singing, playing or having the rights to play or sing in musical score.

No person would be permitted to institute action in state courts for collection of royalties on music unless licensed. Failure to have license would constitute 'affirmative defense' and a complete bar to release of the plaintiff fines for violation of action range from $200 to $1,000 and provisions are made for jail sentence from 30 days to year.

Saving clause in bill asserts nothing in measure shall be construed to apply to any patented equipment used in motion pictures or any equipment connected with reproduction of film sound, speech or music.

Mills Music has obtained the scores of the film productions 'Betty Co-Ed' and 'Sis Hopkins.' Former is being made by Columbi and the latter by Republic.

Vincente Gomez, Spanish composer, assigned to background music for 'Blood and Sand' at 20th-Fox.

Inside Stuff—Music

Car crashes apparently are dogging people connected with the Chicago Art and Bob Weems management agency. First it was Anson Weeks' crackup in Iowa, then Bernie Cummins turned over in his car in Texas. Now Marvel Maxwell, former vocalist with Ted Weems and still his protege, piled up on her way to dramatic school in Los Angeles.

Singer drove west as far as Alberquerque, N. M., where she smacked another car recently and demolished her own. She was unhurt and continued to the Coast by train the following day.

An old Hoagy Carmichael number, 'Lazy River,' which he wrote in collaboration with Sidney Arodin and which was copyrighted by Southern Music in 1931, is one of the few tunes written by ASCAP members that are available to the networks. Recently assigned to Peer International Corp., the song was part of the Southern catalog which was licensed to the networks after the first of the year.

Last week's listing of the best sheet music sellers erroneously credited 'Number 10 Lullabye Lane' to BMI's catalog. Bob Warren, writer of the song, is publishing it himself but distributing it exclusively through Music Dealers Service, Inc. He is giving it to radio on a non-exclusive basis irrespective of ASCAP or BMI affiliation without fee, license or charge.

Ann Perkins, former secretary to the late Billy Jones and Ernie Hare, radio comedy team ('Happiness Boys'), is being sought by Kathryn V. Joyce of Sam Fox Publishing Co., N. Y. Miss Perkins' appearance is required to adjust certain legal details of Jones' will which is up for probate.

'Admiration's Happiness Method,' new song by Milton Page and Jean Elvins, both Texas U students, will be used by the Steele Advertising Agency as the theme song for an ad campaign for Admiration coffee.

The Second Guessing Starts

The possibility of BMI joining ASCAP, in time, when the tiff ends, is no gag, and still may come to pass, although now it's no secret among N.A.B. and BMI men that the consent decree ASCAP finally got for itself is a vexatious matter. In fact, BMI issued an official pronunciamento last week that, in view of the ASCAP consent, it (Broadcast Music, Inc.) would 'reexamine' its own decree, and see how it can better the terms made with the Government.

It is now disclosed, also, that Sidney M. Kaye, BMI v.p. and counsel, really never wanted BMI to gather as much momentum as it did, and hoped that, before 1940 year-end BMI might publish through some ASCAP firm, cooperatively rather than competitively. ASCAP publishers' stubbornness catapulted BMI further and further into indie song publishing.

Neville Miller in Point-by-Point Answer to Songwriter Sam Coslow

(The following letter from Neville Miller, president of the National Association of Broadcasters, was mailed Feb. 3. VARIETY received a copy too late for publication in last week's issue. The text follows—Ed.).

(Copy)

Mr. Sam Coslow,
6012 Hollywood Boulevard,
Hollywood, California.

Dear Mr. Coslow:

I cannot be other than appreciative of the sincere and dispassionate tone of your letter of Jan. 8, 1941. Only an approach to the music problem which is made in that spirit can have any hope of achieving a better mutual understanding. The press of immediate duties, and the fact that I have been travelling, have made an earlier response to your letter impossible, and for this I apologize.

Let me attempt briefly to respond to the principal points contained in your letter.

1. **Division of gross income of ASCAP.** You state that as the reason for the high percentage of income which goes to management is legislation in some states of the union.

This does not appear to be the fact. ASCAP has never made any accounting of its revenue and expenses, even to its own members, and thus the accurate determination of its expenses is a matter of some difficulty. The July 24, 1935, issue of VARIETY, however, carried a schedule of the operating costs from 1921 to 1934. The average for the years which preceded the state legislation was slightly higher than the present costs, and there were only two or three years in which the costs dropped lower.

The fact is that ASCAP's administration costs have always been many times higher than similar costs of foreign societies, despite the fact that these foreign societies have the added expense of maintaining accurate records of all performances and dividing their proceeds in strict accordance with these performances.

2. **Division of the writer's share.** You state that despite the fact that the vast majority of ASCAP writers share in only 1% of its total revenue, the division is in mathematical relation to the performance of the writer's music.

The records of the only year for which ASCAP's figures were ever printed would seem to disprove this. Some writers who had only a few performance points were in the highest group, in so far as payment was concerned. Others who had many thousands of performance points received only infinitesimal payments.

We do not claim that all of the ratings of ASCAP writers are unfair. There is not he slightest doubt that many of the writers in the highest category are there on merit, and would be so rated under any equitable method of division. On the whole, however, the rating system has been the subject of great abuse, and I am sure that, even within ASCAP, there is general consciousness of the fact that the present classification is not based solely upon merit, and that a very large proportion of the writer ratings are not capable of defense upon any rational basis.

3. **Regarding negotiations.** In the spring of 1939 the broadcasting industry began its efforts to negotiate with ASCAP. Mr. Buck refused to appoint a committee to meet with us even after your Board of Directors had authorized the appointment of such a committee. The National Association of Broadcasters appointed a committee to meet with ASCAP, and this committee made repeated requests for a meeting in 1939 and in 1940, when your Radio Committee finally decided to promulgate its new contract, the committee of our industry was not even invited to be present to hear the terms read.

May I say that Mr. Buck has had before him since October a letter written to Fred Waring by me stating that at any time that ASCAP cared to make a definite proposal, based upon a 'per program' or 'per use' form of contract, I would immediately place his proposal before the Board of Directors of the National Association of Broadcasters for their consideration. You express some resentment that any such condition upon negotiation should be imposed.

I must point out to you, in this

(Continued on page 42)

ALL-STAR GALAXY AT BUCK-COHAN DINNER

Hollywood, Feb. 25.

One of the greatest aggregations of American musical talent ever to appear on a single stage provided the climax Sunday (23) night to the Masquers' Club dinner here for George M. Cohan and Gene Buck. Cohan was not present, his plane from New York having been grounded in Memphis.

Ten pianos lined up on the stage were played by ASCAP songwriters. They included Jimmy McHugh, Jerome Kern, Jimmy Monaco, Arthur Freed, Charles Wakefield Cadman, Ralph Rainger, Henry Warren, Walter Donaldson, Harold Arlen and Sigmund Romberg. Prior to all finaleing together with 'Kiss Me Again,' by Victor Herbert, ASCAP's founder, each of the composers played the tune he is most frequently identified with.

William Collier, Sr., recently out of an oxygen tent after pneumonia attack, was m.c., while other talent included Red Skelton, Leon Errol, Joe Weber and Lew Fields and James Newell.

Neville Miller's Comment

Neville Miller, president of the National Association of Broadcasters, last week made the following comment on ASCAP's consent decree:

'I have just been told that ASCAP's board of directors has approved the terms of a consent decree with the department of justice.

'It will be necessary to make a study of the consent decree to ascertain its full effects upon the present music situation. We hope that its effect will be to create and maintain an open and competitive market for music. Such a competitive market, in opinion, is necessary if American creative genius is to have freedom of opportunity.'

ASCAP Sues Minn. Sta.

Minneapolis, Feb. 25.

Four music publishers are plaintiffs and KWLM, Winona, Minn., is defendant in the first Minnesota suits resulting from the ASCAP fight. The plaintiffs are the Remick Music Corp., Leo Feist, Harms, Inc., and Irving Berlin, Inc., who seek damages of $250 each from the defendant.

It's alleged that KWLM infringed copyrights of the plaintiff-publishers by playing the latter's tunes without obtaining a license to do so.

The actions were filed in the federal court here.

Calloway, $25,000, Noble, $22,500, Busse, 20G, In Theatres This Week

(Estimates for This Week)

Ben Bernie, Boston—(Boston Theatre; 3,200; 33-44-55-65). Four-day appearance only, with 'Madame La Zonga' (U) on the screen. Good $12,000 expected for seven-day week (other three days consisted of double-feature films). Bernie's quickie seems to have upped the gross some $4,000 over a normal figure.

Henry Busse—Washington (Capitol theatre; 3,434; 28-39-44-66). With 'Tall, Dark and Handsome' (20th). Paced at around $20,000, a very respectable figure, with Busse no mean factor in the profitable draw.

Cab Calloway—Pittsburgh (Stanley theatre; 3,000; 25-40-60). With 'High Sierra' (WB). Hammering out a huge $25,000, one of the best Pittsburgh grosses in the past half-year. Orchestra and film equally dividing credit for the draw.

John Kirby—Indianapolis (Lyric theatre; 1,900; 25-30-40). With Maxine Sullivan topping vaude end, and 'Road Show' (UA) on the screen. Tabbed for around $8,000, fair enough, the band helping weak film.

Matty Malneck—Chicago (Chicago theatre; 4,000; 35-55-75). With vaude show topped by Jane Froman and 'Western Union' (20th) on the screen. Big $42,000, credited 50-50 to the film and the stage entertainment.

Clyde McCoy—Minneapolis (Orpheum theatre; 2,800; 28-44-55). With vaude show and 'High Sierra' (WB) on the screen. Fine $12,000 estimated, which spells a lot of money (and patrons) at these admission prices, but the film is the potent b.o. angle here.

Ray Noble—Philadelphia (Earle theatre; 2,350; 35-46-57-68). With 'Playgirl' (RKO). Very handsome $22,500, best Philly gross this week, with band counting heavily.

Tony Pastor Orchestra Remains on Bluebird

After much indecision as to whether he would shift to Columbia Records' Okeh label or remain with Victor, Tony Pastor's band was re-signed to the Bluebird 35c tag last week. Outfit renewed for another year.

Pastor's group finishes a long stand at the Lincoln hotel, New York, Easter Sunday. Beginning today (Wednesday) it will double between the hotel and the Paramount theatre, New York, for two weeks.

'FREE SPENDING CHARLIE'

The MCA Efficiency Expert Over-Did the Economy

Charlie Miller, brother-in-law of the freres Stein, heads of Music Corp. of America, is supposedly v.p. in charge of budgetitis in the New York office. That was his prime objective when shifting east from Chicago. Miller, accordingly, is more or less affectionately known as 'free-spending Charlie' around the MCA inner ranks.

However, his economy in not getting an auto license unless actually compelled to do so, caught him in a humorous predicament when he discovered his time for a New York license had lapsed, nor did he have his Illinois license. It took considerable time and trouble to extricate him from the West 68th street traffic court last week.

Bradford Loses Round

Perry Bradford was denied an examination before trial of Ralph S. Peer, president of Southern Music Publishing Co., and the American Society of Composers, Authors and Publishers, Wednesday (19), by Justice Bernard L. Shientag in the N. Y. supreme court, with the Justice ruling that the items sought are vague and irrelevant in character. A renewal of the application was allowed.

Suit asks $6,000,000 damages, claiming that the defendants retained 41 songs belonging to Bradford. Southern loaned Bradford, who is assignee of the Perry Bradford Music Publishing Co., Acme Music Publishing Co., and Blues Music Co., $100, and took the songs as collateral, but refused to return them, it is claimed. Defendants claim that the songs are worthless.

BLUE BARRON'S HARDSHIPS

His Band Folley Hinges Upon Full Catalog—Off WREC Temporarily

Memphis, Feb. 25.

Hotel Peabody was off WREC for first time in years on occasion of Blue Barron's opening in Skyway there. Completely minus BMI arrangements, Barron had no material to broadcast on noon or night periods regularly assigned hotel in its lease with the radio station. Caught flat-footed, Inn simply had announcer state at appointed time that Barron would not No explanation was given.

Subsequently arrangements were made for Barron to do brief broadcasts of stock BMI and public domain arrangements from WREC shelves in order to keep hotel before listening public.

Barron's problem was so complicated that broadcasting in any serious vein was virtually impossible. His singing song titles idea calls for introduction of every tune with the title of an older one similar in theme. For instance, 'Remember Me?' would be preceded by a one-line vocal from 'How Could I Forget You?', etc. This being true, Barron had to abandon entire arrangement or get off air. He chose the latter until local hotel insisted on temporary makeshift.

Schick Radio Program Keeps Kirby in N. Y.; Sullivan Combo Ends

Now that John Kirby's small band is to go on the air weekly for Schick Razor and he has to stay in New York, the band has been booked for a stand at the Uptown Cafe Society beginning Monday (3). He'll replace the current Bobby Burnett band which went into that spot last week. Burnett is a white leader heading a colored band, a rare combination.

Kirby's group has been on the road for the past few weeks with Maxine Sullivan. The coupling will break up tomorrow (Thursday) after finishing at the Lyric theatre, Indianapolis, though it has a month or so of unfilled dates. Miss Sullivan will hook up with Benny Carter's band and resume the tour about March 10. Carter finishes at Nick's, N. Y., Saturday (1).

Singer is currently suing Kirby for divorce. Case was scheduled to come up in New York last month, but it had to be adjourned because she was on the road with Kirby's band and couldn't appear.

JOSE ITURBI LATE

Vague Excuse Draws Titters in Philadelphia

Jose Iturbi, Spanish pianist-conductor, was 10 minutes late for his wanding chore for the Philadelphia orchestra's weekly concert broadcast on a nation-wide Mutual hook-up on Friday (21), originating from WIP.

Alexander Hilsberg, concertmaster of the orchestra, pinch-hit for the maestro for the first number, Glinkla's 'Russian and Ludmilla,' Harl McDonald, the symph's general manager, announced to the audience at the Academy of Music that Iturbi was 'delayed by traffic.' This alibi caused snickers in the press row because Iturbi stays at the Bellevue-Stratford hotel, which is practically across the street from the Academy.

After the concert Iturbi explained that "something important' detained him—but he would not amplify the statement.

He was asked whether the delay was tied up with the recent resignation of Dr. Randell Thompson and Fritz Reiner from the Curtis Institute of Music, but Iturbi refused to comment. Dr. Thompson was director of the Institute; Reiner the head of the orchestra department.

Ephraim Zimbalist, now a member of the Curtis faculty and a noted violinist, is expected to be named head of the school.

Enric Madriguera's first sides on Victor out next week, 'Un, Dos, Tres, Un, Dos,' rhumba, and 'Un Momente,' bolero, are initial releases.

Bandmaster Conclave

Madison, Wis., Feb. 25.

This city will be host to the 12th annual convention of the American Bandmasters' Association from Feb. 27 to March 2, during which time prominent conductors and composers from all parts of the nation will meet to perform two gala band concerts at the Wisconsin Union Theatre.

Fred W. Birnbach, New York, secretary of the American Federation of Labor's national musician's union will be a principal speaker at the banquet to be held March 1. An invitation to the convention and concerts has been extended to all state school band and orchestra leaders by Prof. Raymond F. Dvorak of the University of Wisconsin.

'The Drive' Is Rapped In Chi By Art Kassel

Chicago, Feb. 25.

Growing resentment of orchestra leaders against the pressure of a song firm's drive is typified in the reaction of Art Kassel to the plea from Southern Music Co. for a pressure of plugs for a couple of tunes for week of March 1-to-8. Kassel and his orchestra, currently airing of WGN-Mutual from the Walnut Room of the Bismarck hotel, will not play any of the songs during that week. This is done to underscore the fact that the orchestra leader feels he is being put under undue and unfair pressure by the professional men, and that the general music business will be pushed around the week of March 1 merely to squeeze in more plugs for the single firm's drive tunes.

Kassel and other bandleaders feel that the drive is an unnatural spur to a tune and builds up a single song instead of giving all tunes an equal opportunity. The bandleaders feel that in the cases of these drives they will play these plug songs not so much because these songs are worthy but because they are being put under special pressure.

It has become an important point with orchestra leaders such as Kassel, who insists that the bandleader should be permitted to make up his programs without being put to a pressure of plea of 'I need the plug for our drive this week, or I'll get fired.'

Congarhumba's Dominance on Networks Is Seen As A Big Influence on Dance Band Biz

By BEN BODEC

Conspicuous use of rhumba and conga rhythms on the networks since the latter's break with ASCAP is beginning to have a decided effect on the dance band business. Dance-floor addicts have gone so intensely for these idioms that the fox-trot's status as the dominant form may be relegated to second place. And what makes the outlook really threatening for established American dance bands is that the rhumba-conga fans prefer to have this class of music interspersed by Latin-American combinations because of the native color lent to the rhythms by the foreign language vocals.

Another factor that dance themselves figure may be influencing this sharp trend in terpsy fads is the quality situation on the networks, they point out, runs from fair to pretty awful, while the Latin-American music cascading from loudspeakers is uniformly good. If the current fight between radio and ASCAP has, say these same sources, done anything, it has highlighted in a big way the wealth of provocative melodies and rhythms to be found in Latin-American music, and also stimulated public interest in giving these pedal patterns a fling on the dancefloor.

SUES SAMMY KAYE

Press Agent Brings Up Wage-and-Hour Law Angles

A suit by Norman E. Rech, publicist, against Samuel Zarnocay, known as Sammy Kaye, orchestra leader, was revealed Wednesday (19) in the N. Y. supreme court, when attorneys for Kaye asked that they be allowed to take his deposition before trial, as his engagements may preclude his appearing at the trial. Suit seeks $4,355 as back pay, overtime wages, and attorneys fees.

Plaintiff states he was hired from July 6, 1939 to Dec. 28, 1939 at $35 weekly to do Kaye's publicity. He claims he was not paid for the first two 'trial' weeks, and that he worked far over the 44-hour weekly limit. Unpaid wages asked for are $140, overtime is $3,465 and attorneys' fees, $750. Kaye has entered a general denial.

Orchestras Follow Film Houses in Army Appeal But Draft Ease Unlikely

London, Feb. 1.

Bandleaders have taken the air-your-troubles platform in a beef against military draft weakening their combinations. Stick-wavers are complaining against inroads made in orchestral ranks and claim instrumentalists are drafted to spend time in the cookhouse, rather than allowed continuance of their civilian entertaining where it does most good. A deputation of name leaders will call on the Government seeking draft age be stepped up to 28 for musicians.

It's unlikely move will get anywhere. Cinema owners have sought similar relief for house managers, without appreciable effect. Far as Government is concerned a trio of instrumentalists can do dance duty to a roomful of patrons, automatically nixing eight and nine-piece combos boys are trying to hold together.

Warners assigned Max Steiner to score 'Shining Victory.'

Jimmie Lunceford's $6,395 in Four Dates Best Gross on One-Nighters

(Estimated)

Jimmie Lunceford (Nu-Elms B., Youngstown, O., Feb. 19. Fair 1,100 attendance at $1 per greeted Lunceford here. At the Pythian B., Columbus, Ga., Feb. 21, colored Masonic Lodge benefited with good 1,300 at $1.10, gathering neat $1,400 gross. At Pythias Hall, Nashville, Tenn., Feb. 23, Lunceford's gross of $720, from 800 admissions at 90c and $1, didn't evoke any cheers. At the Aud., Birmingham, Feb. 24, despite rain, Lunceford popped seams of aud here with 4,062 customers who paid $3,175 at scale ranging between 75c-$1.

Bill Bardo-Terry Shand (Raymor-Playmor B., Boston, Feb. 21-22). Fine 4,800 hoppers at 65c gents and 55c ladies responded to coupling of Bardo and Shand both nights. Pair got 2,100 Friday and 2,700 Saturday. Gross, big $2,880.

Count Basie (Roseland-State B., Boston, Feb. 21). Pleasing 1,500 at $1 a ducat left promoter in fine frame of mind.

Benny Goodman (Armory, Fairmont, W. Va., Feb. 20). New operation of once unpopular spot garnered 950 with Goodman. Tap took $1.33 per from dancers and 75c from non-hoppers. Gross broke things even for promoter, but even that was better than expected.

Tommy Dorsey (Alcazar B., Balto., Feb. 19). Dorsey forgot to come, but band drew 750 at $3.85 stag or drag on Johns Hopkins U. hop. Dorsey's absence brought only 11 refunds. Band led by trumpeter Ziggy Elman.

Reggie Childs-Eddie Delange (U. of Detroit, Feb. 21). Pair did a big job at school's annual J-Hop, gathering 1,200 at $6 a couple. Gross, $3,600. (Reggie Childs, Lakeside Park, Dayton, O., Feb. 15). U. of Dayton prom got nice 900 play at $2.50 couple with Childs.

George Hamilton (Lakeside Park, Dayton, Feb. 14). A $400 take from 800 at 50c per was nice for Hamilton.

Claude Hopkins (Roseland-State B., Boston, Feb. 22). Hopkins gave spot fair 1,100 for holiday night. At 55c and 45c gross reached $550.

Johnny Long (Nu-Elms B., Youngstown, O., Feb. 22). Long's stop here gave up good 1,400 attendance at $1.

Johnny McGee (Totem Pole B., Auburndale, Mass., Feb 21-22). McGee proved one of best winter weekend draws with 1,850 Friday and turnaway 2,600 Saturday, $1.35 couple. Gross, big $3,000. McGee's replacement of musicians has not hindered fulfillment of scheduled dates.

Jan Savitt (Pla-Mor B., Kansas City, Feb. 18). Poor night of week made hot by Savitt's pull. Grossed $1,300 at average 90c with 1,500 clocked at b.o. Manager Will Wittig smiling.

Jack Teagarden (Recreation B., Lawrence, Mass., Feb. 21). Teagarden's gross of $270 was fair. Drew 500 buyers at 55c.

Jimmy Walsh (Crystal B., Andover, Mass., Feb. 22). Walsh's 800 pull at 40c for $320, good.

Arranger Fabian Andre Carries on For, and Uses Name of Xavier Cugat

Band currently on the Camel show on NBC's Red each Thursday is not Xavier Cugat's outfit, although it is labelled as such. It's a group under the leadership of Fabian Andre, arranger and ex-leader of his own dance combination. The program calls it Xavier Cugat's orchestra and officials explain it's a group using Cugat's arrangements—sort of a Cugat road company. That's true, because Andre makes a great many of Cugat's arrangements.

Situation became necessary because Cugat had been booked for five weeks at the Beachcomber nitery in Miami, Fla., before he was signed to do the commercial. He started at the spot Jan. 25 and Andre and his outfit have been doing the broadcast since Jan. 30.

ST. LOUIS LOCAL OBJECTS TO FIREMEN'S BAND

St. Louis, Feb. 25.

Threats of A.F.M. Local No. 2 to picket the parade of 150 Mayors who were in town Thursday (20) to attend a Conference of Mayors if the firemen's band played for 'em resulted in a hasty cancellation of the plan. Fire Chief Larry Cornoyer arranged for the firemen to play several numbers in the rotunda of city hall as the visitors finished a five block trck from Hotel Jefferson to the first of a series of conferences.

C. E. Maurer, secretary of the Local, complained that the firemen tooters were not members of the union and the affair constituted a 'private employment for union members.' Cornoyer said the union should not have objected to the skedded 'purely civic and patriotic affair.' But Maurer's objections were upheld by Hizzoner Bernard F. Dickman who is seeking re-election for a third term and the dignatarics entered city hall sans music.

Jenney May Again Baton

Jack Jenney is thinking of resuming as a bandleader. He has made a few tentative plans to again pick up a baton, but won't until certain obstacles are cleared away.

Trombonist Jenney dropped his previous band last fall to go to the Coast and work for Artie Shaw. He's been there since, but is now in New York with Shaw's broadcast commitments.

Bands at the Boxoffice

(Presented herewith, weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels. Dinner business (7-10 P.M.) not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Weeks Played	Covers Past Week	Total Covers On Date
Orrin Tucker	Biltmore (300; $1-$1.50)	7	850	4,650
Leighton Noble	Waldorf (375; $1-$1.50)	6	1,525	7,650
Lanl McIntire*	Lexington (300; 75c-$1.50)	6	1,375	7,375
Guy Lombardo	Roosevelt (500; $1-$1.50)	20	1,325	26,125
Woody Herman*	New Yorker (400; 75c-$1.50)	9	1,550	15,575
Jimmy Dorsey	Pennsylvania (500; 75c-$1.50)	5	2,000	16,525
Tony Pastor	Lincoln (225; 75c-$1.50)	21	675	9,550

** Asterisks indicate a supporting floor show, although the band is the major draw.*

Orchestra Reviews

RAYMOND SCOTT ORCH (13)
Featuring Clyde Burke, Gloria Hart, Jimmy Byrnes, Stanley Webb, Art Ryerson
Strand Theatre, New York

Raymond Scott's last Broadway appearance in a presentation theatre was with his Quintet at the Paramount, in November, 1938, on a coupling with brother Mark Warnow, whose larger band dominated the billing. Then the Scott Quintet (actually six men) were on their ascension, but the composer-conductor in the interim concluded that only the weight of numbers could give him commen.rate importance, and thus the larger Scott unit was born.

As such, for stage values, it achieves its purpose well, although, incidentally, the bigger Scott band on Columbia discs hasn't created the excitement that the original Quintet did. In size and quality there is no dispute for rostrum purposes.

Bigger group was formed for dance purposes and has spent most of its short existence in Chicago. Built last summer, it played a few college dates in the east then went into the midwest for long location dates at the Sherman hotel and Blackhawk Cafe, both Chicago. So far it has not played too many one-nighters.

Setup is six brass, four reeds, piano, string bass, traps and electric guitar. Art Ryerson, a virtuoso on the voltaged strings, makes his moments count heavily. Stanley Webb is another spotlighted instrumentalist, notably with his tenor sax work in 'St. Louis Blues,' an excellent new arrangement by maestro Scott. Jimmy Byrnes, dancing comedian, is introduced as a pseudo-trombonist with a breakaway sliphorn, registering with his 'cute' personality and taps to unaccompanied precision. Clyde Burke, alumnus of the Sammy Kaye ensemble, is tenor specialist, also featured, registering handily with 'Berkeley Square' and 'Frenesi.' In medleyed format, the peppery Gloria Hart with her rhythmic singing proved a show-stopper opening night with 'Darling Daughter,' later whamming 'em with 'Beat Me, Daddy.'

Scott is seemingly self-conscious about his own works, playing them down in favor of that corking 'Tea for Two' orchestration as done by Ryerson, 'St. Louis Blues,' 'Whispering,' 'Night and Day' and 'Star Dust' (again featuring the Ryerson guitar), which comprise the bulwark of the mid-section special arrangements. 'Toy Trumpet' opens approximately. It being his own work, and one of the best known Scott compositions; 'War Dance of the Wooden Indians' is also highlighted

The finale is a new Scott wrinkle, 'silent music,' wherein only the piano, guitar and string bass maintain sotto voce rhythm, and the reeds and brass go through elaborate make-believe music, but blaring into a finale fanfare, the trombone specialty to Tuxedo Junction' taking the band off in high. It's a novelty variation and showmanly projected.

Entire presentation, exceeding a full hour, errs only on the element of plussage of values, but otherwise Scott rings the bell with his large band as he has done in the past with the smaller unit. *Abel.*

ALVINO REY ORCHESTRA (14)
With King Sisters, Skeets Herfurt, Dick Morgan
Rustic Cabin, Englewood Cliffs, N. J.

This band packs—a trunkload of talent and showmanship. It's fine musically, providing easy dance tempoes, and on top of that has the song selling of the King Sisters. An additional bulwark, and an important one for stage and ballroom entertaining, is the comedy ladled out by rubber-faced saxist Skeets Herfurt and guitarist Dick Morgan. Two are a riot in their many comedy sequences.

Too, it has Alvino Rey, who does tricks with an electric guitar of his own invention, an instrument made to equal two ordinary sets of strings placed together. Plucked sweetly or in rhythmic fashion by the leader's talented picks it forms another point in the outfit's saleability. He also plays a powered Spanish guitar, and either as the smartly written arrangements call for them. Rey's only fault is that he's still somewhat stiff up front. Time, of course, will take care of that. The outfit is in its second year, having begun its career a few months before it started a stand at the Biltmore hotel, New York, last winter.

Comprised of four sax, two trombones, three trumpets and the regulation four rhythm, backed by Rey's strings and a selest played infrequently by the pianist, the band is a solid combination. Its playing is clean and free of the full group, particularly the work of the sax and brass groups. Sparked by a drummer with a strong and steady beat, the rhythm four provide ample base for the operations of the full group.

King Sisters do a sock job selling their harmonizing. Vocally they're neat, but a stronger point is to be found in the manner in which they dish out their fare and the chic appeal they lend to a bandstand. Blonde Yvonne, full of enthusiasm and energy in all her work, does novelty solos and works with color lights, etc. Showmanship has been sadly lacking from local scene lately.

McCune's instrumentation is three saxes (himself included), two trumpets, trombone, electric guitar-drums, bass and piano. Latter is Ted Husted, who doubles on arranging. He's a rangy boy on the ivories, dubbing in lots of rippling runs that stands out in band's quieter tunes. Brass is mostly muted throughout. Pinky Savitt's horn turning in some neat solo stuff. Electric guitar and sax-section, latter well blended, carry bulk of melody.

Outfit has hung pretty much together since Manhattan U. days, having no changes in past five years. Result is knack of playing together, whipping up a community arrangement in short order and putting it across with minimum of effort. Katherine Hoyt is a pert thrush who mugs her tunes with the best. Romantic stuff is handled by Gordon Robb, a little self-conciously.

Strong on Latin rhythms, well-matched brass outstanding. *Betz.*

BILL McCUNE ORCH (10)
With Katherine Hoyt, Gordon Robb
Hotel Statler, Buffalo

Smart hotel crew with tricks up its musical sleeve. Outfit is on the soft side but can kick out as occasion demands. Big asset here is its novelty number with color lights, etc. Showmanship has been sadly lacking from local scene lately.

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Outfit has hung pretty much together since Manhattan U. days, having no changes in past five years. Result is knack of playing together, whipping up a community arrangement in short order and putting it

Band Bookings

Ray Noble, Feb. 28, Palace theatre, Cleveland; March 14, Beverly Hill C. C, Newport, Ky.; 28, Lyric theatre, Indianapolis.

Joe Reichman, Feb. 28-March 1, Totem Pole B., Auburndale, Mass.

Benny Goodman, April 4-5, Duke U., Durham, N.C.

Mitchell Ayres, Feb. 28, Columbia University Senior Prom, Waldorf-Astoria, New York City; March 1, party, Manhattan Center, New York City; 6, one week, Flatbush Theatre, Brooklyn, N. Y.; 13, one week, Windsor Theatre, Bronx, N. Y.; 21, U. of Delaware Senior Prom, Wilmington, Del.

Ruby Newman, March 1, Mass. Institute of Technology freshman hop, Walker Memorial Bldg., Cambridge, Mass.; 9, party, Providence-Biltmore Hotel, Providence, R. I.; 14, Sargent College junior prom, Sargent Bldg., Cambridge, Mass.

Erskine Hawkins, March 2, Frazier's Park, Auburn Ala.; 3, Aud., Montgomery, Ala.; 4, Aud., Macon, Ga.; 5, Aud., Atlanta, Ga.; 6, Aud., Columbia, S. C.; 7, Aud., Bluefield, W. Va.; 8, Arena, Beckley, W. Va.; 9, Armory, Danville, Va.; 10, Bristol, Va.; 12, Nu-Elm B., Youngstown, O.; 14, week, Regal theatre, Chicago.

Inkspots, March 14-17, Palace theatre, Akron, O.; 18-20, Palace theatre, Youngstown; 21-27, Wisconsin theatre, Milwaukee; 28-April 3, Fox Tt., St. Louis; 4-6, Orpheum T., Davenport, Ia.; 7-8, Orpheum T., Madison; 9-10, Orpheum T., Rockford, Ill.

Ella Fitzgerald, March 1, Knights of Columbus, Brooklyn, N. Y.; 2-6, Savoy B., New York City; 7-13, Howard T., Washington, D. C.; 14-19, Hipp theatre, Baltimore.

Count Basie, March 12, Municipal Aud., Burlington, Ia.; 18-20, Palace theatre, Fort Wayne, Ind.

Will Bradley, March 2, Indiana Roof, Indianapolis.

Johnny Long, Feb. 28, Vernon Hall, Yale U., New Haven.

Johnny McGee, Feb. 28, Yale U., New Haven.

Henry Busse, March 28-30, Palace theatre, Fort Wayne, Ind.

Del Courtney, March 28, Bellemeade C. C., Nashville, Tenn.; 29, Castle Farms, Cincinnati.

Duke Ellington, March 3-5, Uptown B., Portland, Ore.; 8, U. of Washington, Seattle; 12, Trianon B., Seattle.

Slim & Slam, March 3-week, Cocktail Lounge, Paterson, N. J.; 14, week, Royal theatre, Baltimore.

Earl Hines, March 5, Liberty Club, Valdosta, Ga.; 20, South Carolina State C., Orangeburg, S. C.; 21, Aud., Macon, Ga.; 22, Tuskegee Institute, Tusk, Ala.; 28, Community Center, Greenville, S. C.; April 1, Albert Aud., Baltimore; 2, 14, Savoy B., Pittsburgh.

Claude Hopkins, March 13, Harlem Square Club, Miami, Fla.

Ina Ray Hutton, March 28-30, State theatre, Hartford, Conn.

Ray Noble, March 7-9, Palace theatre, Fort Wayne, Ind.

Joe Reichman, April 9, Indef., Netherland Plaza hotel, Cincinnati.

Pinky Tomlin, March 27, Tromar B., Des Moines, Ia.; 30, Skylong B., Sioux City, Ia.; April 4-5, Palace theatre, Fort Wayne, Ind.

Benny Goodman, March 7, Massachusetts Institute of Technology, Statler hotel, Boston; 8, Ricker Gardens, Portland, Me.

Orrin Tucker, March 12, Empire B., Allentown, Pa.; 14, week, Earle theatre, Philadelphia.

Tommy Dorsey, March 1, Royal Windsor R., New York City.

Harry James, March 3, week, Brunswick hotel, Boston; 15, Lucky Strike broadcast, Camp Upton, Yaphank, L. I.

Joe Reichman, Feb. 28-March 1, Totem Pole ballroom, Auburndale, Mass.

Al Donahue, March 14-15, Totem Pole ballroom, Auburndale, Mass.

Terry Shand, Feb. 25 to March 1, five days, Raymor ballroom, Boston.

Herbie Kay, Feb. 28, Playmor ballroom, Boston.

Bunny Berigan, March 1, Playmor ballroom, Boston.

Jack Teagarden, March 1, Roseland-State B., Boston.

Tommy Dorsey, March 5, Totem Pole B., Auburndale, Mass.

Fenton Bros., Feb. 28, Crystal ballroom, Shawsheen Village, Andover, Mass.

Dick Catan moved new combo into Hollywood Inn outside Buffalo.

Miller Answers Coslow

Continued from page 40

connection, that the Department of Justice of the United States Government has flatly stated that any method of dealing which does not offer such basis of payment to broadcasters is in violation of Federal Law.

4. Estimate of increase asked by ASCAP. I am quite certain that you have misread the VARIETY articles which you quote, when you say that the amount demanded by ASCAP would fall several million dollars short of $9,000,000." On page 27 of the issue of April 23, 1940, of VARIETY, the estimate of the amount to be yielded by the proposed contract was stated as $8,750,000 annually. This was a preliminary computation based on an estimate of the industry's income. When the official PCC figures appeared, VARIETY reported (page 31 of the December 11, 1940 issue) that its first estimate was $200,000 too low, and that the increase demanded was approximately 80%. This brings VARIETY's estimate to $8,950,000 annually.

The VARIETY estimate, however, does not take into account that the proposed contract, offered by ASCAP, broadened the base on which broadcasters would be asked to pay, by including a demand for a payment on percentages on line charges, certain talent costs, etc.

Even on VARIETY's extremely conservative estimate, therefore, the amount demanded by ASCAP was well in excess of $9,000,000 per year, and according to our computations it more nearly approaches $10,000,000 a year. I do not think that the amount demanded is as important as the fact that ASCAP arbitrarily issued a contract raising its rates to its best customers by between 80% and 100% without first discussing the matter with its customers, or giving the broadcasting industry's negotiating committee any opportunity to consider its terms.

5. Network payments. You ask why the networks refuse to pay ASCAP any portion of the differentials between the sum which the networks collect from their advertisers and the sum which they allot as station payments.

May I point out to you that the networks are making a payment on such differentials to BMI? Under the contracts made in 1932 and 1935, when ASCAP did not lack bargaining power, ASCAP elected to impose increased sustaining fees upon the networks rather than to impose any tax upon these differentials. The proposed contract which ASCAP promulgated in 1940 increased the payment by networks by 500%. This increase, if acquiesced on, would have substantially wiped out network profits and been destructive of network operations. I remind you that this increase was imposed upon the networks without any opportunity for discussion or negotiation.

If ASCAP had any desire to discuss this question, it had the opportunity, and their representatives did not care to avail themselves of this opportunity.

6. BMI payment to authors. BMI is earnestly attempting to work out a fair basis of payment to authors. Its present formula is not intended to be final and we all look forward to its ultimate improvement. I think that in estimating even its present results, however, you are misled by the difference between ASCAP's method of counting 'performance points' and BMI's true and accurate method of counting performances. ASCAP checks on the New York stations of NBC and CBS. It counts few other performances. BMI, however, under its logging system, arrives at an accurate figure for all performances.

When you estimate Mr. Kern's performance fees, you do it upon the assumption that all of Mr. Kern's excellent repertory of music would result in less than one performance a day by the average broadcasting station. I am sure that this does an injustice to Mr. Kern. You also fail to take into account, in your computations, that the amount which BMI is paying to composers is net to them. Even your own computation results in a figure which is approximately one-third, and not one-seventh, of the amount which is being paid to ASCAP writers today.

The fact is that BMI's ratio to the number of performances is definitely more fair to writers than ASCAP's method of artificially fixed ratings. BMI's present payments to hitherto unknown writers in many cases compare favorably with those made under high ASCAP ratings, and none of these payments are low as those of ASCAP's lower categories.

7. Songwriters Protective Association contract. The SPA contract contains special exemptions which are applicable only to ASCAP. BMI asked whether the same exemptions could be applied to it, and this request was refused. The SPA contract is grossly discriminatory in favor of ASCAP and against BMI. I must remind you that SPA is headed by an ASCAP director and controlled by ASCAP members.

8. ASCAP membership. I cannot agree with you that ASCAP has proved an open door to new writers. An admission of only 1,150 writers in 25 years would seem to argue against such a concept, especially when 80% of those writers receive only nominal payments. In connection with ASCAP's recent admission policy, I point out to you that ASCAP has admitted three times as many members since BMI's organization as it has during any comparable period. If these people were entitled to admission, they should have received it without any such stimulus.

I cannot close this letter without reiterating that broadcasters are keenly desirous of seeing that the writers of the music which they play receive adequate compensation. If you do not believe that our industry wants this as a matter of principle, I hope that you will believe that we are intelligent enough to realize that we favor it in sheer self-interest. We have a profound regard for the many splendid songwriters included in ASCAP's membership. What stands between us now is the determined opposition of ASCAP's management to any method of dealing which permits the operation of normal competition and ordinary business methods in the field of performing rights.

To us this opposition seems unreasoning. Persons of your calibre cannot be unmoved by the fact that the recent pronouncements of Federal judges and of the Department of Justice alike characterize ASCAP's present methods as illegal.

You and I are accustomed to being paid when our services are used, and then only. That is true not only of us and of the butcher, the baker, the candlestick maker, but all artists in all other fields. That is what we want from ASCAP. We are unable to see why, in the field of performing rights and in that field alone, people should be entitled to compensation when their services and products are not used.

The opposition to this elementary principle is astounding to us, not only because it is opposed to law, but because we do not believe that it is in the interests of ASCAP members. You and those of your fellows whose works are used by broadcasters have nothing to fear from such a system. Your songs will be used if they are desirable, unless the price put on them is wholly uneconomic.

The broadcasting industry pays the highest average wages in the entire world. We are not niggardly.

We urge you to use your influence within your own organization to obtain a recognition of the elementary and basic principle which is involved. We want your songs. We are prepared to deal for them in a spirit of fairness and friendliness on honest and legal business basis.

Yours very sincerely,
Neville Miller.

MANNING SHERWIN STUCK IN ENGLAND

The story is just out about a songwriter who has been unable to enjoy the U. S. fruits of his first song hit. He is Manning Sherwin, whose 'Nightingale Sang in Paris' has been having quite a vogue, but who has been unable to get out of England.

Sherwin, an American, went over about three years ago and was concerned in the writing of several revues. He stuck when war was first declared, being unable to get passage out when the Nazi blitz really started.

Alberto Domingues, composer of 'Frenesi' and 'Perfidia,' up from Mexico City, discussing publication of new numbers.

LES BROWN
and his orchestra
featuring
DORIS DAY
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NOW — Mike Todd's Theatre Restaurant Chicago Indef.
●
NBC-Blue—11:30-12 P.M. Tuesday to Sunday (inclusive)
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Our latest, the record rave
"ANVIL CHORUS"
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10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by operators to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parenthesis indicate the number of weeks each song has been in the listings and respective publishers.)

1. Frenesi (8) (Southern)	Artie Shaw	Victor
	Woody Herman	Decca
2. I Hear a Rhapsody (7) (BMI)	Jimmy Dorsey	Decca
	Charlie Barnet	Bluebird
	Al Donahue	Okeh
	Dinah Shore	Bluebird
3. Last Time I Saw Paris (6) (Chappell)	Kate Smith	Columbia
	Leo Reisman	Victor
4. Yes, Darling Daughter (7) (Feist)	Dinah Shore	Bluebird
	Glenn Miller	Bluebird
	Andrews Sisters	Decca
5. I Give My Word (11) (BMI)	Al Kavelin	Okeh
	Eddy Duchin	Columbia
	Jack Leonard	Okeh
6. Stardust (7) (Mills)	Tommy Dorsey	Victor
	Artie Shaw	Victor
7. You Walk By (4) (BMI)	Tommy Tucker	Okeh
	Eddy Duchin	Columbia
	Wayne King	Victor
8. Santa Fe Trail (6) (Harms)	Bing Crosby	Decca
	Sammy Kaye	Victor
	Guy Lombardo	Decca
	Dick Jurgens	Okeh
	Kate Smith	Columbia
9. Salud Dinero Y Amor (2) (Marks)	Vaughn Monroe	Bluebird
10. There'll Be Some Changes (1) (Marks)	Ted Weems	Decca
	Benny Goodman	Columbia
	Vaughn Monroe	Bluebird
	Gene Krupa	Columbia

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

One I Love (Forster)	Tommy Dorsey	Victor
	Ella Fitgerald	Decca
Memory of a Rose (S-B)	Sammy Kaye	Victor
	Jimmy Dorsey	Decca
	Glenn Miller	Bluebird
Hello Ma, I Done It Again (Robbins)	Bea Wain	Victor
	Ella Fitgerald	Decca
	Mitchell Ayres	Bluebird
Anvil Chorus (BMI)	Glenn Miller	Bluebird
	Les Brown	Okeh
May I Never Love Again (BMI)	Bob Chester	Bluebird
	Charioteers	Columbia
	Ginny Simms	Okeh
	Ted Weems	Decca
San Antonio Rose (Berlin)	Bing Crosby	Decca
	Gray Gordon	Bluebird
	Bob Wills	Okeh
It All Comes Back to Me Now (BMI)	Eddy Duchin	Columbia
	Gene Krupa	Columbia
High On a Windy Hill (BMI)	Jimmy Dorsey	Decca
	Sammy Kaye	Victor

On the Upbeat

Lee Leali boys are again at the Gray Wolf Tavern, Masury, O.

Homer Nightingale has completely redecorated his Cocoanut Grove ballroom near Toledo, installing 50 palm trees and numerous cocoanuts.

Donald Maloney, of Akron, has joined the Horace Heidt organization, as accountant.

Terry Shand has made several changes in his orchestra: Mary Osborne, from Dick Stabile, has been added to play steel guitar and sing in place of Susan Lang, who went to Florida to cure her laryngitis; Ron Perry on first tenor from Richard Himber, replacing Mack Robbins, who joined Enoch Light; Verne Yonker, from Red Nichols, instead of Bill Westphal on trombone, while Sam Kublin has been added for a second trombone.

Sammy Kaye orch at Loew's Broad theatre, Columbus, week of Feb. 28, second booking for house in recent weeks.

Charles Kirk, formerly Saxie Dowell's drummer, enlisted as a private with 101st Cavalry band stationed at Fort Devens, Ayer, Mass., where he is an instructor, although without official rank as yet, and presently teaching a sergeant to play bass drum. In leisure time, is arranging for Bill Bardo's orchestra.

Bobby Hackett took over podium at Versailles, Boston (24), replacing George MacFarlane, who returns to Ruby Newman banner.

Jimmy Dorsey was hero of a dramatization of his career, on a 'Famous Fathers' series turntabled over a string of stations as a plug for stage hit, 'Life With Father.' In highlighting Dorsey's rise to fame, emphasis was laid upon winning over mother of his bride-to-be against her initial prejudice against 'a no-account orchestra player.'

Will Bradley orchestra play a one-night engagement at the Trianon Ballroom Thursday, Feb. 27.

Duke Ellington plays week of April 3 at Paramount theatre, Los Angeles, following six-week tour of one-nighters.

Jan Garber opened six-week stand at Casa Manana, Culver City.

Harry James is remaking 'Flight of the Bumble Bee' trumpet solo for release on Columbia Records' 80c label. He originally made it for U.S. Records.

Al Kavelin opens two weeks at the Arcadia Ballroom, New York, tomorrow (Thursday).

Benny Goodman is set to do a lecture on jazz music at Long Island U., New York, April 16.

Will Hudson booked into Hotel Statler, Buffalo, one-nighter Feb. 28 in place of Johnny Long, previously skedded.

Paul Pendarvis opening at Casino, Pittsburgh, pushed forward couple of weeks and band moves in Saturday (1), following Clyde Knight ork.

Benny Goodman set to play at the junior prom of the Washington University in St. Louis Municipal Auditorium March 21, and the shindig for the first time in its history, will be open to the public. A $3-per-person tap will be made with the net proceeds donated to the St. Louis Chapter of the Women's Allied War Relief Assn., which sends clothing and medical supplies to England. More than 10,000 are expected to attend.

Shirley Heller, vocalist with Jack Walton at Yacht Club, Pittsburgh, sticks to do vocals at same spot with Herman Middleman outfit, which opened there Friday (21).

Anita O'Day, new singer with Gene Krupa in place of Irene Daye, who quit after marrying trumpeter Corky Cornelius.

Richard Himber holds over four weeks more at St. Francis hotel, San Francisco.

Jack Teagarden doing solo guest shot on Benny Goodman's Old Gold program next Monday (3).

Les Hite band signed for series of Bluebird sides. Band's only previous recordings were a few for U. S. Records.

Stuff Smith set for stretch at Capitol Cocktail Lounge, Chicago, starting Monday (4).

Milt Herth trio into Old Vienna, Cincinnati, Saturday (1) for eight weeks.

Will Bradley out few days with laryngitis and grippe last week. Band worked without him.

Bernie Cummins set for four-week return to Edgewater Beach hotel, Chicago, beginning March 28.

Ted Black Bankrupt

Ted Black (ne Abousslеman) has filed a petition of bankruptcy with the Brooklyn federal court.

Orchestra leader gave his liabilities as $8,785 and stated he had no assets.

Douglas Hertz Ponders Dance Wing For Pegasus Polo Club in N. J.

Pegasus Club, Rockleigh, N. J., may become a name band stand if plans now in the making work out. Douglas G. Hertz, its owner and also owner of the New York Yankees football team, is mulling the thought of enlarging the current barroom of his spot to a size which would permit the use of top flight orchestras. Pegasus Club itself is an indoor polo stand, offering horseback hockey every Saturday evening. It seats about 2,500.

However, the arena itself would not be used for dancing. Rather than drop polo and have to stand the cost of replacing the turf with a dance floor and also the cost of heating such a building during the winter, Hertz is figuring on adding a large capacity wing. Pegasus is on 400 acres of ground and is equipped with a fairly large swimming pool.

If it goes through the thought stage the spot would be opposition to Frank Dailey's Meadowbrook at Cedar Grove, N. J., also a name band date. Rockleigh is about three-quarters of an hour drive from New York City.

6-8 BMI Tunes In 1 Rep. Pic; Big Radio Putsch

Hollywood, Feb. 25.

Harry Engel has closed the first deal for a full BMI score in a feature picture. Jack Owens is writing six to eight numbers for Republic's Judy Canova starrer, 'Puddin' Head.'

Deal is being worked out with the networks for a premiere splash of the songs.

Jan Savitt Pays Off

Kansas City, Feb. 25.

Jan. Savitt while here on a one nighter last week paid the final installment of $2,500 on the deal whereby he bought his contract from CRA. The terms called for 10 payments of similar amounts and was made about four months ago.

The Savitt crew is now booked by MCA.

Jack Kearney, travelling manager with the band, spent one day in bed (18) nursing himself out of a case of the flu, but got up to carry on after the band moved out from the Pla-Mor ballroom.

JOE GLASER'S CHI TRIP

Chicago, Feb. 25.

Joe Glaser, in town last week to supervise the get-away of the Les Brown orchestra in the northside Michael Todd Theatre-Cafe, set the Glenn Garr orchestra for a spot in Chi.

Garr orchestra comes into the O'Henry Park ballroom for an extended stay starting March 14.

Milwaukee Local's Prez Taboos Cuffo Date For Pianist at Defense Meet

Milwaukee, Feb. 25.

Vollmer Dahlstrand, president of the Milwaukee Musicians Association (Local 8 A.F.of M.), last Friday refused request to furnish a pianist as accompanist for the singing of 'America' at American Foundrymen's Association here. Later Dahlstrand declared that he had not been apprised of the patriotic nature of the event when he had ruled on the matter, or that Brigadier N. F. Ramsey would speak.

Ramsey was here for address on national defense. Ben D. Claffey, president of the organization wanted a pianist to play for the singing of the national anthem as the flag was unfurled when speaker took the platform.

Dahlstrand refused to permit a pianist to play on grounds it violated rule that at least six musicians must be employed when music for a convention at the Crystal Ballroom is needed. There was no music.

Ruling invoked by Wolmer Dahlstrand, head of the Milwaukee Musicians Association against one musician playing two instruments simultaneously has put Johnny Duff out of a job.

Duffy, an organist whose specialty is playing a piano with one hand and a Hammond organ or Novachord with the other, at the same time, played the Blackhawk Cafe, Chicago, for 14 weeks with approval of James C. Petrillo, president of both the A. F. of M. and the Chicago local. But when booked into Hotel Blat Palm Garden here to co-star with Freddy Fischer and the Schnickelfritzers, Dahlstrand objected. Duffy played the date, but only one instrument at a time and his engagement was limited to two weeks.

Duffy was next offered an engagement at station WEMP, but Dahlstrand again stepped into the picture to rule that an out-of-town organist could not be brought into Milwaukee while local organists were available.

Meantime, at WEMP, two organists, Florence Kelly and Helen Lavin, quit the job when station manager C. J. Lanphler appointed Elmer Ihrke musical director. Joyce Frome and Myron Stewart were put into the vacancies. Clarence Berg also joined the staff of organists upon conclusion of his engagement with Billy Baer's orchestra at the Nicollet Hotel, Minneapolis.

Leo Moran Dies at 30

Leo Moran, trombonist with Hal Kemp's orchestra, died Sunday (23) in Holy Family Hospital, Brooklyn. Death was caused by an intestinal ailment. He was about 30 and is survived by widow and two-month-old baby.

Player had been member of Kemp's orchestra for some time, being with it at the time Kemp himself died last December. He only recently returned to New York after the Kemp group was disbanded.

Disc Reviews

Will Bradley 'Break It to Me Gently'—'This Little Icky' (Columbia 35922)

Bradley's band has worked hard to get going. It clicked nicely on 'Beat Me Daddy' and subsequent boogie-woogie pieces. But it's still banging away at the same groove. These two are poorer examples. Bradley should be careful that the style that helped him doesn't kill him. If any performer did on a stage what Ray McKinley does to the vocal on 'Break It' he'd get hooted off. It starts the side away, too. Following melody isn't distinguished though it's played well enough. Reverse hounds the same b.w. scent. Band sizzles up a cold trail, bellwethered by Bradley's hot tromboning.

Ella Fitzgerald 'Hello, Ma'—'Wishful Thinking' (Decca 3612)

Both sides good. Miss Fitzgerald's vocaling of the rhythm tune and ballad keeps pace with her usual high rating. Her work on 'Hello, Ma' is socky. In bouncing tempo it rolls smoothly with good background. 'Wishful Thinking' is surprising. Behind the excellent lyricing the Fitzgerald band sounds anything but like the combo it was six months ago. It has improved tremendously. Arrangement puts the group under muted brass and flowing saxes and it sounds smart.

Claude Thornhill 'Love Tales'—'Ali Wein' (Okeh 5988)

Thornhill apparently can't make up his mind on what he wants for his new band. Since his recent initial releases for Okeh it has run the gamut of tempoes. Both of these are waltzes and show his band up best. Arrangements are simple and easily played. Good portion of 'Tales' features the leader's piano work with barely discernable subtone clarinets accompanying. It's soothing. 'Ali Wein' likewise. It's equally quiet and smooth and uses more of the band itself. It's the better side.

Harry James 'Music Makers'—'Montevideo' (Columbia 35932)

James' first record on a new Columbia contract is good. On 'Music Makers' it features clean and click muted brass work with and behind an attractive combination of saxes, to form an original that's highly commendable even if it is a bit repetitious. Tempo is moderate. Coupling swings to the latin side on a tango track. It's okay. Dick Haymes vocals well.

Gene Krupa 'Jungle Madness'—'Apurksody' (Okeh 5997)

'Jungle' gives Krupa an opportunity to work out his tom-toms and he doesn't miss. Number is a super arrangement in Krupa's stage and ballroom work, but on records it's a lot of noise. It's made up of growling brass, pounding skins, a short, but okay trumpet break and a clarinet solo that should have been forgotten. 'Apurksody' is Krupa's theme, one of the stranger signature tunes. It's nicely done and easily the best side.

Benny Goodman 'More Than You Know'—'Superman' (Columbia 35002)

Second of Goodman's 12-inch releases selling at 75c this record isn't up to the mark set by the first. Best side is the standard, but it's marred by too much vocal. Helen Forrest's lyricing is tops in any tempo as far as band vocalists are concerned, but no singer can carry three-fourths of a 12-inch side when buyers expect to hear Goodman. Less than a minute midway picks up the band. 'Superman' features Cootie Williams' muted trumpet and Georgie Auld's tenor sock soloing, but the arrangement packs little punch. If it's based on the exploits of the cartoon character it's just as whacky.

Count Basie 'Who Am I'—'Stampede in G Minor' (Okeh 5987)

Gander at the label is necessary to be certain 'Who Am I' is by a colored band. It almost completely loses the markings of a sepia crew with an arrangement which could have been better but still is a decided improvement over the usual Harlem hacking approach to such a melody. Tempo rolls at an easy lope. Basie's pianoing and a trumpet get in short innings. Reverse shifts to a moderately hot groove for an original that has little merit outside of enthusiasm and solos on piano, trumpet and sax.

BALTO BREAKS OUT IN RASH OF MORALS

Baltimore, Feb. 25.

This town went moral in a big way last week, with the cops hauling the principals of the traveling burlesque unit at the Gayety, to court and the Catholic Review devoting a front page blast to the previous week's engagement of 'The Who Came to Dinner' at Ford's. Newspaper also tied in recent showing of 'This Thing Called Love' and urged all parish pastors to campaign against its subsequent neighborhood showing now at hand.

Upon receipt of complaints, Police Capt. Joseph Itzel detailed four patrolmen to a matinee of the burley performance. Sergt. Alexander Emerson, vice squad head, who arrived at conclusion of performance, went backstage and asked to see the costumes worn by a trio of strippers and a demonstration of their 'terpsichorean technique.' On the strength of the private audition and a batch of stenographic notes of gags alleged to have been cracked during the show, strippers Sonia Duvall, Dawn DeLees and Ermaine Taylor, along with comics Benny Moore and Slats Taylor, were pinched. Hon Nickel, house owner, and Gus Flag, stage manager, were also taken along.

Defendants were held for the grand jury after posting bonds of $100 each. Performances at the theatre were continued.

Catholic Review attack upon 'Man Who Came to Dinner,' called for censorship of legit theatre and urged rearming of Legion of Decency for new fight on Hollywood producers because of 'This Thing Called Love.' Paper also refused this week to take advertising from combo Hipp, whose front is currently selling 'Mr. and Mrs. Smith' (RKO) as 'spicy.'.

Det. Cafe Op on Skids Due to Feds' Rum Rap

Detroit, Feb. 25.

A flashback to the Prohibition era landed Joseph DeVillers, who operates the Villa D. in the grease with the Federal authorities here. They claimed that he was up to the old trick of refilling empty, bonded-label whiskey bottles with cheap brands. He faces $1,000 fine or two years imprisonment on each of the four counts against him.

Authorities through this neck of the woods have been conducting a drive for this type of violation practiced in Prohibition days.

From Bermuda Terrace to Bermuda Terrace was the experience of Mitchell Ayres when on leaving Brooklyn's Hotel St. George B. T., he was booked into Boston's Hotel Brunswick B. T. for a week, 17-22.

Proper Portable Tanks Stall Aquacade Tour

Condensed road company version of Billy Rose's Aquacade which John Murray Anderson is readying is temporarily stymied because of need for a portable tank that can be taken on tour.

Engineers are now working on the problem, with chances that a tank approximately 145 by 60 feet will be perfected late in the spring in time for the scheduled summer tour. In addition there will be two smaller tanks.

Saranac Lake

By Happy Benway

Saranac Lake, Feb. 25.

Chris Hagedorn, who ozoned here for so many years, is trying to do the same thing at 56 Smith avenue, Bayshore, L. I.

Mrs. Nettie Robey, f m Washington, is a new arrival at the Will Rogers.

Glenn Forrest, who saw service up here (he was formerly with the Charlie Ahearn troupe), is now under observation at the French hospital, N. Y.

After months of strictly in bed, John O'Shea is on mild

Dick Bergsetn, former manager of the Ventor theatre, Atlantic City, is a newcomer.

Bill Plunkett and Joy Navarre top the Russian Bank players at the Will Rogers; game is a daily feature in the san's lounge room.

Frank Carter left for Fall River, Mass., after six months of Adirondack resting.

The Lowell Thomas dinner at Lake Placid did turnaway biz. Saranac's mayor, Tom Ward, did the main speech.

Tudor Cameron, who shutters at the Will Rogers April 1, is trying to interest a silent partner for a new local weekly paper.

Eddie Vogt, besides helping Rudy Plank in the san's X-ray department, finds time to do shopping for the bed patients.

Ralph Cardinal, former mayor of Malone, N. Y., for 17 years, is an amateur French-Canadian dialect story teller.

Chick Lamont, ex-N.V.A.-ite, who recently lost his appendix, is walking the mainstem assisted by a crutch.

The writer has been shot back to bed because of a setback; not serious, I hope.

The outstanding feature of the Will Rogers is the laughs handed out by Dickie Moore and Ben Schaffer.

Valentin Parera, husband of Grace Moore, who has been ozoning here for the past two months, is on the comeback list.

For the first time in the history of the local Hotel Saranac, the orchestra will fold. Bryce Lavign, orch leader, quoted a no-biz reason.

Harry and Charlie Barrett, of 302 Broadway, Saranac Lake, are pretty ill. It is too bad that some of the old-time jugglers overlook this pair, who are among the daddies of vaudeville.

(Write to those who are ill.)

Boles' 1-Niters

John Boles will embark on a tour of one and two-night theatre dates in March. He'll be accompanied by a pianist on a string of dates now being set up for him by the William Morris agency.

Though he's not aimed for ballroom work, Boles may play such dates.

N. Y. Nitery Followup

Waldorf-Astoria (N. Y.) Empire Room is on the downbeat with its current lineup of talent, meaning Paul Gerrits and Adelaide Moffett, in lieu of Russell Swan and Yvette, but with the Leighton Noble dance band holding over. Latter alone bolsters the proceedings. Miss Moffett who, as a society songstress, is still to be regarded in that 'socialite' groove, and not strictly judged by professional standards, has sung to better advantage, however, predicated usually on her choicer selection of songs. Her present repertoire is all in the same overly polite, parlouresque mood, slow, too too chichi and possibly struggling for too much 'class.' Result is a blank. 'Rhumba Jumps' doesn't, as an opener. 'Embraceable You' is an extended medley of musicomedy flavors. 'Dearest, Darest I' is not for a hotel room, especially when they're dining and easily disconcerted, and 'Nightingale Sang in Berkeley Square,' the routine encore, isn't a chirpy excerpt. Gerrits, the roller-skater who resembles Robert Montgomery, needs glibber small-talk to stand up in the confines of a class room. He has an engaging personality and his polite acro-skating is a bit different, but that's not enough to round out a resounding score. Fast opening and closing of a new dancer, John Wray, who was paid off following his Saturday night (15) premiere, caused Gerrits' last-minute induction. Under the circumstances he did fairly well.

Casino Russe, N. Y., on the site of what was formerly the Club Richman and, before that, Roger Wolfe Kahn's ultra-snooty Le Perroquet (both, circa speakeasy), has more than an average good chance to click. It's doing well already, being the only uptown class vodka joint, now that the Hotel St. Regis' Maisonette Russe is no more.

The show, in fact, is reminiscent of the Maisonette, what with maestro Cornelius Codolban; Mischa, the maitre d'hotel who was formerly at the St. Regis, and others. Show is partly nostalgic of yesteryear Russia, before commies and nazis complicated new world feeling for the old world. Lunia Nesterova, ballerina; Tina Boleva, soprano; Sonia Yar and her guitar; Yanco Borca and his cymbaline, and a wow specialty by himself; Codolban's exciting gypsy music; Dmitri Matvienko with characteristic Caucasian flaming-dagger dancing; Kris Kay with the U. S. ensemble, and that fugitive from Hibernian steppes, Larry (Toscha) Murphy, as emcee, yclept bass player with the band and balladeer, round out a brisk little show. Sasha Maeef is the owner. There's also an excellent mixed vocal septet for the background fol-de-rol. Place is the 56th street (rear) adjunct to the Russian Tea Room on West 57th, adjoining Carnegie Hall. On the 56th street side, also, is a Bagdad room for the late-hour windup, following the 8:30 and midnight floor shows in the Casino Russe proper. *Abel.*

• 15 YEARS AGO •

(From VARIETY)

A battle loomed between Marcus Loew and E. F. Albee. Loew's takeover of film theatres was taking place in territory of Albee vaudeville theatre interests.

John Barrymore contracted by Joseph Schenck for two pictures at $100,000 each and 25% of all net profit per film, each of which was to be released by United Artists.

'Is Zat So,' opening at the Apollo, London, was a smash. Roars of laughter greeted the American click on the opening night.

Pearl White was leaving Paris for Egypt, where she was to appear in Cairo and Alexandria cabarets in dancing engagements.

Marion Talley, 18, the youngest prima-donna in the history of the Metropolitan Opera, was to make her debut at the Met in 'Rigoletto.'

The sensation of a decade in vaudeville booking circles was the walk-out of Alf T. Wilton from the Keith-Albee office. Of all the bookers connected with the Keith-Albee office, Wilton was the only one with nerve enough to split with the agency to open up for himself as an indie.

Night Club Reviews

Cocoanut Grove, N. Y.

(PARK CENTRAL HOTEL)

Jack Waldron, Elenore Wood, Hibbert, Bird and LaRue, Winton and Diane, Bunny Howard, Ginger Dulo, Flower, Sylvia Barry, Nine Chorus Girls, Six Showgirls; Buddy Clarke's Band and Jose Domingo's Rhumba Orch; $2.50 minimum.

Jack Waldron is virtually playing stock at this hotel roof spot, but a seven-months run and more to go, as is currently the case, is not unusual for the fast comic. He's apparently rarely in a nitery for a sprint, past long runs at the old Hollywood and Paradise on Broadway testifying to this.

He's now heading a new production here tagged 'Manhattan Holiday, and, plus the knockabout adagio trio of Hibbert, Bird and LaRue, is the show's saving grace. There are a lot of femmes in the show, plus multiple changes of costume, but it's slowly paced and punchless for the most part because of lack of outstanding talent. Waldron picks it up when he's on, and the adagio trio, are a next-to-closing click, especially with the surprise of having LaRue come out of the audience as a drunk patron. This gag is set early via LaRue heckling Waldron from a front table.

Elenore Wood is a semi-nude dancer and the body-flash under dim lights is her chief appeal; Winton and Diane are a fair mixed hoofing team; Sylvia Barry and Bunny Howard handle the straight singing chores in undistinctive voice, while Ginger Dulo makes a rather feeble try at comedy singing. Her takeoff on Martha Raye at this catching was more sad than it was satirical. One of the show's better specialties is a dance by Miss Flower, who doubles into the line of showgirls.

Chorus of nine and the showgirls are nicely costumed, but the dance routines are unimaginative. The Park Central's old standby of having the customers enter a hobby horse race for a bottle of champagne is again used in this production. Show appears to be aimed more at the hotel's out-of-town customers than the Broadwayites, and the roof nitery's excellent business since opening last Wednesday (19) proves that it's working.

Buddy Clarke's band, also a fixture here, is playing the show and alternating for the dancing with Jose Domingo's rhumba crew. *Scho.*

Latin Quarter, Miami

Miami, Feb. 22.

Sally Rand, Clarissa, Emil Boreo, Grisha and Brona, Frank Mazzone Dancers, Helen Carroll, Henri Therrien, Pierce and Harris, Parisienne Demoiselles (12), Joe Candullo Orch (12); Minimum $2.

Lew Walters is doing what no operator has ever been able to accomplish: he's running this locality's legendary white elephant, Earl Carroll's former Palm Island Club, to boffy b.o. An almost immediate click, the Latin Quarter has been the only local nitery to coast through the early season without curling around the edges, and continues to be the biggest and most consistent money maker in town. All this, and without a casino too.

It seems Walters has the naive idea that it's still possible to pack them in here on the strength of a fast moving, socky revue, and a moderately priced cuisine. This week Sally Rand, with her usual knack for scoring more legit publicity than the average press agent could dream up in a decade, breezed in on a blast from the Georgia legislature, and the ropes have been up ever since. Miss Rand's still cracking about liking the old boys, because they give you what the young ones promise, and her forays into the 'esthetic' dance continue to embrace a pair of fans and a bubble. It's a routine that should have long gray whiskers by now, but since la belle Rand is probably one of the brainiest femmes to ever cash in on such a display, it's highly possible, to put it facetiously, that she'll replace Lady Godiva in historical interest.

Frank Mazzone and the Abbott dancers are a breathtaking adagio quartet who survive two appearances on the bill without apparent injury, although in the interim Mazzone falls off the top of a prop staircase, breaking a table to bits, two of the gals hit the floor from spins with such force as to rattle the silverware, and a third tumbles headfirst down a flight of stairs. They set a terrific pace.

In setting Emil Boreo on this bill, Walters made another smart move. He's a typical French music hall entertainer, and as such, provides the authentic continental touch required to justify the revue's tag, 'Midnight in Paris.' Boreo's rep has been largely on his wooden soldier routine, but his songs and other impersonations are equally diverting. Both Henri Therrien and Grisha and Brona are likewise cabaret importations. Therrien is a robust tenor, while Grisha and Brona click in a futuristic dance conception tagged 'The Golden Goddesses.' Both gals are decked out from head to foot in a gold paint job, and the event is quite spectacular.

Clarissa is a Mexican looker who does her bit to improve domestic relations by displaying a pair or shapely shafts in a doublet of south of the border routines. Wesley Pierce and Hazel Harris, who have been around, are amusing ballroom buffoons. Their satirical hoofology is always good for a giggle.

As to be expected in a cabaret of this type, the house line gets quite a workout, and Truly McGee has done a corking job in staging the routines. The bevy of eyefuls are crack steppers and easily qualify as one of the revue's top attractions. Particularly outstanding is a boudoir number in which the gals face each other through mirror frames and do a disrobing double-take. Line also does a fine job in backing up Clarissa and Miss Rand. Helen Carroll, another lass who's easy on the optics, warbles the production tunes in capable fashion and introduces the turns.

Joe Candullo's combo, under Dave Lester's baton, rates plenty of attention for playing a tough show at a furious pace. Candullo takes over for the dansapation, splitting up the sets by pulling a lot of oldies out of the books. It's great stuff for the dinner mob, and late comers can get a full quota of hot brass. An unbilled relief quintet rattles the maracas. *Leslie.*

Rhumboogie, H'wood

Hollywood, Feb. 21.

Cee Pee Johnson, Peter Ray, Three Rockets, Lois Galloway, Dorothy Garbo; Johnson Orch (8); minimum, $1.50 Saturday, $1 other nights.

Pair of lads in the needle trade, Charles Fineman and Norman Heeb, were nudged by 'Red' McCullen, brother of Jerry Colonna, on the premise that Hollywood night-lifers were ripe for an all-Negro show. Subsequent returns proved the advice to be judicious and prudent. McCullen cut himself in for a piece of the estab, a made-over storeroom, and the trio are watching the shekels roll in.

While the show and its contributing talent are naturals for the spot, the whole success revolves around one stalwart performer, Cee Pee Johnson, about as versatile a sepian as has been seen around locally in some time. Specializing in tom-tom-kettle drum whamming, he leads the band, keeps the place hopping, takes a whirl at dancing, pipes a few throaty numbers, dances on his head and picks up chairs with his teeth. Johnson has been around for quite a while, and how he has been passed up so long is what's wrong with most niteries.

It's his tom-tom beating, however, that puts the site over. Film stars have been playing repeats with different groups two or three nights a week to watch C.P. bang those skins. He uses two slender kettles and a tom-tom and handles those sticks with speed and dexterity that seem out of this world. For a flash finish he speeds up the routine with the room darkened and the business ends of the sticks blazing away in phosphorescent arcs creating eerie streaks of light. About as clever a novelty as the natives have glimpsed in many years of the rounds. He's a distinct personality as emcee and exposes his divers other facets with

(Continued on page 49)

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AGVA Still Concerned With Several Hangovers From Haddock's Term; 'Talent Agency' Idea Among Them

Although Hoyt Haddock was dismissed nearly three weeks ago, a few hangovers from his term as executive secretary of the American Guild of Variety Artists still bothering that organization. In Minneapolis, for one thing, it is charged that an AGVA rep Haddock appointed to solicit membership has opened up a booking agency sideline, which he bills as the 'AGVA Talent Agency.'

This has brought several squawks from accredited agents and last week AGVA's new administrative board shuttled Jack Irving, executive secretary in Chicago, to Minneapolis to investigate the setup.

A similar gag was attempted in Detroit, where Lee Golden, appointed local exec sec by Haddock there, applied for and received a booking agency license under Michigan state law for the Detroit local. It was Golden's idea to put the booking agency license to practical use in the event the town's regular agents did not 'play ball' with AGVA.

Last week AGVA's administrative board in New York ordered the Detroit local to immediately turn in, or cancel, the booking agency li-

Otherwise, the AGVA national picture retains its status quo until the national election is held, supposedly within 60 days of Feb. 13. On the outside, however, there's plenty of agitation—most of it aimed against the vaude-nitery union's present administrative setup—with most of the complaints coming from the ousted, so-called Communist element, or from certain 'interested' persons who have never been members of AGVA.

Chief among the latter are Murray Lane and Lou Taylor, who last week sent out an announcement that, as representatives of Variety Actors Betterment Campaign Committee, they had a petition containing 4,500 bone fide actor signatures demanding a democratic variety actors union. Lane claims he has submitted the petition to Frank Gillmore, president of the Associated Actors and Artistes of America, from which a special committee is now administrating AGVA's affairs.

Aside from the fact that Lane and Taylor were of the Whitehead faction in the American Federation of Actors, their purpose in agitating against AGVA is not clear. Neither one ever paid any dues to AGVA; Lane is reputed to own a half interest in Maxine's, a Bronx nitery, which puts him in the employer rather than employee class in unionism, and Taylor is the m.c. at Maxine's.

The Variety Actors Betterment Campaign Committee, which is how Lane and Taylor head their announcements, has no office address in any of the New York directories. If Lane or Taylor are wanted in relation to this organization, they must be called at their homes, or Maxine's.

Actually Lane and Taylor are being quietly ignored by AGVA's membership, nearly all of whom have been informed that these two alleged patriots heretofore didn't think enough of AGVA to even apply for membership.

The Four A's committee is going ahead with its plans to hold and supervise a national election of officers and board of governors for AGVA. The national board will then select an executive secretary. The different locals will also hold elections, but it's expected their voting will take place before the national ballot.

No Decision in Suit Of Gerrits Against Parker

Application for an injunction by Paul Gerrits against Lew Parker was heard Monday (24) and decision reserved. Gerrits asked Justice Steuer in N. Y. supreme court to restrain Parker from using stage material he ((Gerrits) claims to own and which Parker used several weeks ago during a stay at Loew's State, N. Y.

Motion originally was supposed to have been heard last week (17), but an operation on Parker's nose forced him to request an adjournment.

Gene Doyle, Phil Seeds Team as Skating Act

Gene Doyle (and Donnelly) has teamed with Phil Seeds in a comedy act and they are currently working on skates in the ice show at the Iceland Restaurant, New York. Donnelly has retired from show business, temporarily at least.

First date for the Doyle and Seeds combo was at the Liberty, Elizabeth, N. J., recently, with the billing for the screen-stage show reading: 'Who Killed Aunt Maggie'—5 Vaudeville Acts.

N. Y. News Uses Photo Of Wrong Dancer, Judy Allen Sues for $100,000

A suit by Judy Allen, dancer, against the News Syndicate Co., publisher of the N. Y. Daily News, was revealed yesterday (Tues.) in N. Y. supreme court. Plaintiff charges libel and seeks damages of $100,000.

Suit says that the News published Miss Allen's photograph in connection with a shooting, and claimed she was seated at a table with a man who was shot by his wife. The News, for its defense, claims it retracted the story on Dec. 12, 1940, after publication Nov. 4, and says that while a Judy Allen, a dancer, was at the table, it was not the plaintiff, and the use of her photo was a mistake.

LOU HOLTZ UNIT LIKELY TO WIND UP IN PHILLY

Lou Holtz's Hollywood talent unit, currently at Loew's State, N.Y., probably winds up its tour after next week's date at the Earle, Philadelphia. Another booking was skedded for the Hippodrome, Baltimore, but Arline Judge is pulling out to return to the Coast, primarily to visit her children.

Wendy Barrie, also in the unit will stay east for a while. She's dickering for a Broadway show, but if that doesn't come through, will settle for a Miami vacation.

Heller Doubles Between Chi and Pitt Nitery

Pittsburgh, Feb. 25.

Now that Jackie Heller is co-owner with his brother, Sol, of the Yacht Club, one of town's top niteries, he'll shuttle between here and Chicago for next 13 weeks at least. Singer was recently signed by Mars Candy Co. to do a weekly NBC commercial with Ted-Rito's band out of Chi every Sunday night and will spend his weekends there, coming back every Monday N. Y. headline Yacht Club show through Thursday.

Yacht Club was until recently owned and operated by Sol Heller and Nick Andolina, who was formerly connected with old Plaza Cafe. Is understood to be seeking new nitery location.

Odd Defense in 30G Libel Suit by Connie Constant

A suit for $30,000 damages against the Staten Island Advance Co., publishers of the Staten Island Advance, by Connie Constant, actress and model, was revealed yesterday (Tues.) in N. Y. supreme court. Plaintiff charges libel in three issues of the Advance.

She claims the paper declared she was living with one Robert Martin in Miami at a time he was arrested. Defense avers story is true. Plaintiff was recently employed at Billy Rose's Aquacade.

Woody Herman has been signed for four weeks at the Sherman hotel, Chicago, beginning June 26 and may go the Palladium, Los Angelics, after that. Herman replaced trombonist Bud Smith with Jerry Rosar, from Alvino Rey.

Burley Burns Slightly

Dayton, Feb. 25.

Fire in the dressing rooms of Izzy Hirst's Mayfair (burlesque) here forced 700 patrons to exit on the double quick Saturday (22) night. Flames were confined to ushers' basement quarters, only damage to theatre and three-story office building above resulting from heavy smoke.

Fire interrupted strip strut of Gladys Fox, member of 'Quips and Strips' wheel show.

Singer Deplores Socialite Trend To Pro Warbling

Cambridge, Mass., Feb. 25.

'Society girls with blue-blood backgrounds would be more fortunate with blue in their voices if they aspire to become blues singers,' suggested Lillian Carmen, stage and night club singer, when quizzed by James Morley on the Harvard University private radio network.

They were discussing the prospects of a society singer in the heady competition of show business. Harvard undergrads had been particularly interested since many of their sweethearts had evidenced a leaning towards the bright lights facing a mike.

Miss Carmen deplored the rapid transition of the chinchilla gals from their drawing rooms to a night club floor as featured singers.

'It's unfair to the girl when her friends insist that she sings in public, merely because her voice sounds fine in a small group clustered around a piano,' she remarked.

'A surgeon studies for many years and then serves an internship before he attempts an operation. For the same reason, your girl friends, and singers in general, should study and then go through that training period, playing small spots, and graduate to the big time.'

Morley took issue with her that the society girls could not afford to hurt their reputations by playing in honky-tonks.

'A girl doesn't have to work in joints to gain experience,' Miss Carmen continued. 'She can sing at parties, in amateur stage productions put on by fraternal organizations, and the like. Thus she gains self-confidence, and with a little coaching can put salesmanship into her work to sell herself, which is just as important as talent.'

She paid tribute to her coach, Al Siegal, who took her from a cashier's job in a New York department store, enabling her to obtain a featured spot in New York theatres.

Her big moment came when she was picked to sing in Earl Carroll's 'Vanities,' she recounted. She went to audition for him and was mingling on stage with a large group of beautiful showgirls when Carroll said to an assistant, and pointing to Miss Carmen, 'What is that girl here for?'

'She's a singer,' was the reply.

'If she can sing as beautifully as her legs are shaped, then she can have the job,' was Carroll's rejoinder. She was hired.

Miss Carmen closed tonight (Tuesday) at Club Mayfair, Boston.

BEN RILEY BANKRUPT; LIABILITIES $432,104

Ben Riley, who lists himself as an unemployed hotel keeper, formerly employed by Arrowhead Inn Operating Corp., filed a voluntary petition of bankruptcy in the N. Y. federal court Thursday (20), listing assets of $327,529 and liabilities of $432,104. He has earned $3,000 annually during the past two years, the petition states.

Largest claim is that of the Chase National Bank, $318,800, plus $49,812 interest. Bank holds a mortgage on Ben Riley's Estates. Of the other creditors the American Society of Composers, Authors and Publishers is owed $515 while unsecured debts total $25,000. Assets include $316,202 due for monies lent to Ben Riley's Estates, and $10,887 on a second mortgage on the estates.

Heated Race On By Several Aspirants For Executive Secretary Job at AGVA; Alan Corelli Prominently Mentioned

Tivoli, B'klyn, Folds After Burley, Vaude

Tivoli, Brooklyn, folded last Thursday night (20) after a one-week try with a vaudfilm policy. House only recently reopened with burlesque plus films.

With business bad with burley, the operators switched to vaude and called in Eddie Sherman to buy the shows. B.o. was poor, however, with the blame laid to too sudden a transition from strippers to family entertainment. Another vaude try may be made in about a month.

Pat Rooney Lists Assets Of $252; $8,112 Liabilities In Filing for Bankruptcy

Filing by Pat Rooney of a voluntary petition in bankruptcy last week (19), listing assets of $252 and liabilities of $8,112, came as no surprise to friends, many of whom were among his creditors. Rooney, currently at Billy Rose's Diamond Horseshoe nitery New York, has not found the salary pickings very good for the past few years. When he had it, he spent freely; too freely, many of his friends used to say.

Though separated at the time, Rooney's friends claim the death of his wife, Marion Bent, last July 28, was a hard financial blow. Miss Bent, w.k. on her own, died in the NVA ward in French hospital, N.Y., after a year's illness with cancer.

It's stated that Rooney, who once earned as high as $5,000 weekly, is getting $140 a week now at Rose's nitery. His assets include $200 in clothing, a contract at the Diamond Horseshoe, and a dower interest in real estate at Southhold, L. I., originally owned by Miss Bent.

Among some of the creditors are Benjamin Kaufman, $560 for professional services; loans by George Sidney, $1,000; Jewish Theatrical Guild, $500; Alan Corelli, $175; Ben Bernie, $200; George M. Cohan, $200; Harry Richman, $100; Bert Gilbert, $160; Ole Olsen, $50; Bob Hope, $25; Victor Moore, $100; Charles Gardner, $286; Al Dow, $1,000; Al Rogers, $800; Walter B. Cooke, Inc., $170.

'St. of Paris' Resumes Vaude at Hipp, Buffalo

Buffalo, Feb. 25.

After being curtained for over five years, Hipp (Par-State) will relight Friday (28) with vaudfilm, hitherto confined to the deluxe Buffalo. Opening state attraction will be 'Streets of Paris.'

The 20th Century is booking a succession of 3-day, split-week stage attractions using shows or name bands and pictures for the first half (weekends) and duals for second half. Policy started with Vincent Lopez (fortnight ago), underlines Singers Midgets currently and Count Basie first half of the coming stanza.

Brandts Book 'Streets'

'Streets of Paris,' Bill Miller's picture house version of the revue, has been booked for the Brandt houses in New York.

Opens March 27 at the Flatbush, Brooklyn, and plays the Windsor, Bronx, the week following.

Sam Scribner on Mend

Sam Scribner, veteran showman who has been under treatment at the Lawrence hospital, Bronxville, N. Y., is recovering and will probably be discharged this week.

Illness was described a dietary disorder.

'Ice Follies' 90G, 6 Days

Buffalo, Feb. 25.

'Ice Follies,' in five days at the Municipal Auditorium, got a slightly under-capacity start, but went to standing room and turnaway business Thursday, Friday and Saturday (20-22).

Gross, which topped the first ice show of the season (Henie), was approximately $90,000.

Though the special Associated Actors & Artistes of America administrative committee indicates it will not appoint a new executive secretary for the American Guild of Variety Artists until that union completes a national election within the next six weeks, there's evidently a heated race on by several aspirants for the position.

Prominently in the field are Vic Connors, executive secretary of the San Francisco local; Kenneth Howard, holding similar position in Los Angeles, while some in the Cincinnati local's membership have proposed Bob Edwards, even if only temporarily and until the election is held.

It appears doubtful that Howard will get any consideration for the national post. He has been the focal point of many agreements against past regimes in AGVA, among them that Howard was never an actor. Chief allegation against Howard is that he's a Communist and of the deposed Hoyt Haddock faction in the organization, though Howard was engaged as an organizer for AGVA during Jean Muir's tenure as executive secretary.

Connors was embroiled with the national office some months ago, when he was accused of withholding the 40% due the home office from the local's revenue. At that time it was charged that Connors had ambitions to become national executive secretary, with supposed backing from Kenneth Thomson, executive secretary of the Screen Actors Guild. It is perhaps significant that at a meeting with the SAG early last week in Hollywood, AGVA's L.A. and Frisco locals won that union's support in making demands that the Coast locals share in policies and selection of officers of AGVA.

Prominently mentioned for the exec sec post, especially in Four A's circles, is Alan Corelli, who heads the Theatre Authority. It has been proposed that the Four A's 'draft' Corelli to temporarily take the office at AGVA, at the sametime holding on to his TA post, for the purpose of reorganizing the vaude-nitery union. Corelli, who once did resisto act, was standard in vaude for many years.

PA. BILL WOULD END NITERIES' BOOZE CHIZ

Philadelphia, Feb. 25.

Niteries are looking askance at a bill introduced last week in the Legislature which would force bistros to mark the capacity on whiskey jiggers. The bill was submitted by Representative Earl Chudoff following an expose of 'cheater' glasses by the Philly Record. It was found that some spots sold liquor in glasses holding less than an ounce. The daily's reporter found that the dives in the Tenderloin charged more for their liquor than the ritzy bars and class night clubs.

If the bill is enacted, nitery operators who have been getting by with false-bottom glasses will be forced to confess their past chiseling, or else give an honest drink to their patrons.

May, Denise Booked Into Havana Nitery

Havana, Feb. 25.

Bobby May, the juggler, and Diane Denise, songstress succeeding Karen Cooper, are additions to the new Chester Hale revue at the Casino Nacional. Pierce and Roland, dancers, and the Hale Girls (8) hold over, as do the LeBatard Bros. and Palau Bros. bands, local.

Tourist influx is encouraging to business in general. The visiting U. S. baseball clubs for spring training are also a hypo to biz in general.

Chi Colony's Shows

Chicago, Feb. 25.

Colony Club, swank near northside spot, which has been operating with just two rhumba bands for the past few months, is revising its policy and going back to floor shows.

Al Borde has the booking assignment.

N.Y.'s 'Carnival for Britain' a Wow At B.O.; 6,200 Pay 40G for All-Star Show

By JOE SCHOENFELD

At 3:55 Saturday morning (22), as Gracie Fields backgrounded with 'There Will Always Be An England,' Queen Victoria, in the person of Helen Hayes, brought the curtain down on the 'Carnival for Britain,' at Radio City's Music Hall, with the dramatic pledge out of 'Victoria Regina' that England shall not die. In her extraordinary makeup as Britain's renowned queen, and flanked by the monster benefit's entire cast and the color guard of the British Great War Veterans of America, Miss Hayes was an electrifying climax for a star-studded show. She brought the theatre's capacity audience to its feet in a spontaneous burst of applause.

A distinguished, white-tie-and-tails audience, at a shigh as $35 a seat (for the side-stage tables), filled the monster-sized theatre to overflowing, and nearly all of them remained glued to their seats until the early-morning blowoff. Up ahead they saw an array of talent, which no theatre could afford to pay in one show, slough 'em in enjoyably monotonous succession.

This was truly a parade of stars, with talent so superb that even a vaudeville booker's nightmare, of having three single women singers following one another, turned into a triumph, singly and collectively. First Miss Fields, who flew in from the Coast, wowed 'em with 'The Last Time I Saw Paris,' 'The Biggest Aspidestra in the World,' 'Co-op Shop' and, after an ovation, a comedy number dedicated to Mussolini titled 'He's Dead, but He Won't Lie Down.' Brock Pemberton, emceeing at the time, best summed up all possible praise for Miss Fields when he said:

'How can we let down a country which produces such great artistes as Miss Fields.'

Ethel Merman Boffs 'Em

Shortly after Miss Fields, Ethel Merman, in her 'Panama Hattie' set-up, boffed with 'I Get a Kick Out of You,' 'I Got Rhythm' and 'Let's Be Buddies.' Then Ethel Waters, with what appeared to be the show's top reception after her singing of 'Stormy Weather' and 'Taking a Chance on Love' from her show, 'Cabin in the Sky.' Bill Robinson made it two colored clicks in succession when he followed with two dance routines.

There were a few slow spots, but on the whole the 'Carnival' was well worth the price of admission. Gertrude Lawrence, though currently Broadway's top star via 'Lady in the Dark,' was in the strange position of opening the show with a special shortwave hookup via WNEW to Charles B. Cochran, Vivien Leigh, Laurence Olivier and Lord Mayor George Wilkinson in London. The three show biz w.k.'s were represented on the stage by empty chairs lighted with the names of 'Cockie,' 'Vivien' and 'Larry,' and their voices coming over the p.a. system was an initial thrill. The effect lagged, however, when the conversations extended into platitudes and great thanks to Miss Lawrence rather than all of American show biz for its help to England. The Lord Mayor's speech about England's 'carry through' was a saving grace towards the finish.

Another slow session was provided by 'Information Please,' which was spotted on the pit elevator, with F. P. Adams, John Kieran, Oscar Levant and Clifton Fadiman as the experts and Deems Taylor as interlocutor. Dan Golenpaul, producer, was seated alongside Taylor, who made the announcement that Golenpaul would contribute $50 towards British Relief for every question they missed. Then followed an almost endless string of quizzes, most of them simple, chosen by 'Info Please's' editors, and at the windup Golenpaul was nicked for only $100.

Fred Allen Quips

Fred Allen was m.c. at this point and gave the house its two biggest laughs when he said:

'This is the first time I've been on the stage of the Music Hall—now I know how a termite feels in the Yale Bowl.' He followed this with the crack that he had just learned the janitor of the M.H. is Superman.

Irving Berlin's new tune, 'When That Man Is Dead and Gone,' was given a terrific rendition by the colored St. Elmo Johnson Choir, with Edward Matthews as soloist. Later in the show this same group joined the Rutgers University Glee Club and the Lynn Murray Choir in 'Ballad for Americans,' with strong-voiced Ray Middleton soloing dramatically.

Maurice Evans, doing excerpts from 'Richard II' and 'Henry V,' and Vera Zorina, reciting 'Fog,' a song poem by John Latouche ('Ballad for Americans'), with music by Vernon Duke, were strong solo clicks. Ditto Lanny Ross, seated at one of the tables; Anton Dolin, who strikingly danced Ravel's 'Bolero' with great musical accompaniment by Larry Adler on the harmonica, and Danny Kaye, accompanied on the piano by his wife, Sylvia Fine.

The DeMarcos, lone ballroom team in the show, were one of its outstanding smashes with the Levitsky Waltz and a routine to 'Begin the Beguine.'

Moore and Gaxton

Victor Moore and William Gaxton, singing new lyrics by George S. Kaufman to 'Wintergreen for President,' aided by the ensembles from 'Louisiana Purchase' and 'Panama Hattie,' plus the M.H.'s glee club and the outside choirs in the show, were other outstanding features. Peggy Wood, currently in 'Old Acquaintance,' was likewise socko in her singing stint, doing one of the numbers from 'Bitter Sweet,' in which she starred in London for two years. On the other hand, Joe Cook and Howard Lindsay had little to do, being merely springboards for the appearances of Miss Merman, Miss Waters and Robinson. Olsen and Johnson brought their 'Hellzapoppin' ensemble over for the 'Boomps-a-Daisy' routine with the customers.

The show had but two disappointments, Walter Huston, who went to Canada, and Burns and Allen, first announced by Brock Pemberton, a surprisingly potent m.c., who then said they weren't on hand.

Other m.c.s were W. G. Van Schmus, the M.H.'s managing director, who made a brief opening speech about the cause, and Arthur Treacher and Boris Karloff, both of the latter also brief. Erno Rapee conducted the M.H.'s symphony, spotted on the rear stage platform, which played the show excellently. Other M.H. contributions were the Rockettes, a near-finale smash, and the ballet, with which Maria Grimaldi and Nicholas Daks soloed.

Although George S. Kaufman was originally scheduled to stage the benefit with Vinton Freedley, he had to forego because of the press of other work, and Freedley carried on alone. Latter did a masterful job on the whole.

Sudden Boom in Ticket Sales; $12,000 Program

The 'Carnival for Britain' held from Friday (21) midnight until dawn Saturday (22) at the Music Hall, Radio City, could have been spotted in Madison Square, so great was the demand for tickets. The price scale ranged from $10 to $1. One week before the event the Hall's directors and the Theatre Wing of the British War Relief Society, which conducted the show, were in a panic over the light ticket sale. As soon as the show was advertised, however, there was a weekend rush for the boxoffice and orders were given to cancel further paid ads, SRO being assured.

All was not sweetness and light among the members of the several committees, which included a number of socialites. One of the latter sent word to the Rockefeller aides who conduct the Hall that she could not afford to be identified with a failure. She is said to have sent out 1,000 letters requesting ticket purchases. When the surge of patronage calmed down, the Theatre Wing group wondered how requests from well knowns could be filled. Quite a number did not obtain tickets.

How the tickets were suddenly snapped up was explained by mass orders, one from the British Relief Fund being for 2,500 out of a total of 6,200. Other big orders were accepted, with the result that no tickets were available even for the press, committee in charge saying it was so much concerned when the sale lagged that no thought was given that angle.

Total takings went to over $40,000. Of that sum, about $26,200 came from tickets, while there was $12,000 in ads in the program. Latter was to have been given away gratis, but it was decided that patrons could pay whatever they wished, such coin being counted as donations which upped the total take. The Music Hall was donated in entirety, as was the case three years ago, when a benefit was similarly held there after midnight for American flood sufferers. There were any number of social affairs before and after the show, while the restaurants in Radio City kept open until 6:30 a.m. Timing was about perfect, since it ushered in Washington's Birthday, so that few except the professionals participating were required to attend to business.

There was an unexpected mixup over a proposal to broadcast the proceedings via the NBC network. Leading oil concern is said to have offered $20,000 for the sponsorship. Radio heads countered by saying that if the program was made commercial there would be a charge for the time. That was okay with the Theatre Wing and the radio end was so informed. Latter, however, came back with the idea that, as the carnival could be regarded as connected with a controversial subject (the war), money for the broadcast could not be accepted. As a result the broadcast was tendered to WNEW and confined to the metropolitan area as a sustainer.

Hitler a 'Dog' or 'Ape'?

Brock Pemberton, chairman of the committee on the programs and publicity, figured in a controversy over the use of Maxwell Anderson poem, 'Vulpine Physiog,' panning Hitler. It was especially written for the program, but the British War Relief heads ruled otherwise. Rhyme referred to Hitler as a dog and also likened him to an ape, one of the dailies printing it in full.

When Anderson was contacted, he is quoted saying, 'I only called Hitler a dog. Worse things than that have been said about him.' Pemberton had asked Anderson to write the verses as editor of the program and burned when it was turned down. He said 'The British are fighting for freedom, which includes the freedom of expression, and yet they censor the program book by turning down this swell poem.' Anderson prefaced his verses with 'That man's face is a disgrace to Europe.'

It was reported that the British Relief heads passed the buck to Peter Colfax, press man for the relief society, and Lloyd Ring Coleman, of the J. Walter Thompson agency, which places advertising for the society. Coleman said the poem was a 'little too hot to be published in a charity program booklet.' People around the society's offices opined that the words 'dog' and 'ape' were 'conservative' descriptions of Hitler.

Pemberton received messages pro and con of the poem's rejection, one telegram ending with 'I resent the insult to the dog.'

ORPHEUM, MPLS.

Minneapolis, Feb. 23.

Clyde McCoy Orch (13) with Bennett Sisters (3) and Dick Lee, Gil Lamb (2), Hudson Wonders (2), Ray and Trent; 'High Sierra' (WB).

This is an entertaining, if unpretentious, show. It's built around the Clyde McCoy band, a first-rate swing outfit returning here after a comparatively short absence, and it has the 'Sugar Blues' aggregation contributing the major portion of the stage layout. While music predominates, there's also a smattering of comedy, dancing, singing and acrobatics to provide variety.

Show plays smoothly enough and moves moderately fast and while not of sensational proportions, proves satisfying for most of the custmers. In addition to conducting and furnishing some of the standout features with his sock trumpet tooting, McCoy also shares the emcee chore with Gil Lamb, lanky Minneapolitan fresh from Al Jolson's 'Hold On Your Hats,' and the pair handle the show neatly while the band plays it without an apparent flaw.

The McCoy outfit gives out a lot of swing that's not only sufficiently torrid, but pleasant to hear as well. A mandolin, bass fiddle and piano temper the brasses and there's little blasting. The McCoy trumpeting always is good for a big hand.

With 'Tear It Down' for a starter, band loses no time in getting hot. Chet Lang, one of the musicians, has a chance to grab the spotlight briefly with his sax while McCoy's trumpeting is conspicuously present, too.

Then Lamb takes over. He's an amusing fellow who works throughout the show, furnishing at various intervals hunks of tomfoolery, gags, eccentric dancing and harmonica blowing. Upon this occasion he introduces the Hudson Wonders, two gals who perform a succession of applause-compelling acrobatic stunts.

The three personable Bennett Sisters, from the band, croon 'Ma, He's Making Eyes at Me' harmoniously and then go into a swing dance to the accompaniment of 'Rhumboogie.' McCoy whams 'em with his rendition of 'Basin Street Blues' on the trumpet and produces plenty of startling musical effects with the instrument.

'Beat Me Daddy' is another band concession to the jitterbugs and is followed by Lamb's funny impressions of a jive hound's deportment in a theatre during a band jam session.

Ray and Trent, two men embellish their tap dancing, acrobatics and hand-to-hand balancing with plenty of clowning.

Band comes through with a corking 'Frenesi' arrangement, McCoy again taking a welcome whirl at the trumpet. The Bennett Sisters are on again, this time doing a precision military tap number. Then Dick Lee, the band's vocalist, warbles several 'Hit Parade' numbers, including 'I'll Never Love Again' and 'I Give You My Word.' His baritone found a receptive audience.

In a rib-tickling harmonica interlude, Lamb has his stooge, Tommy Sanford, blowing some hot tunes. Lamb himself tosses out some comedy patter and then stops the show with his own unusual performance on a number of variously sized mouth organs. McCoy's 'Sugar Blues' on the trumpet is a sure-fire enthusiasm provoker for windup.

A well-filled lower floor for the first performance opening Friday (21). *Rees.*

MUSIC HALL, N. Y.

Arnaut Bros., June Forrest, Robert Shanley, Marie Grimaldi, Nicholas Daks, Rockettes, Glee Club, Corps de Ballet, Symphony Orch under direction of Erno Rapee; 'Mr. and Mrs. Smith' (RKO), reviewed in VARIETY, *Jan. 22.*

Rather than having its usual streamlining, though it has that in some respects, this week's stage table d'hote is a short repeat. It runs but 25 minutes, while the orchestral overture consumes eight. Erno Rapee's large symph outfit plays 'Valse Caprice,' written by Richard Mohaupt, a young European composer. It's getting its first performance here. The work embodies fragmentary themes of outstanding waltzes and is generally Viennese in character. Some interesting passages figure.

Leon Leonidoff, the theatre's senior producer, calls his little stage unit 'Sweethearts.' It's in four scenes, all agreeably entertaining albeit without any particular sock. The first is billed as 'What is This Thing Called Love?' and embraces hit tunes by Cole Porter and Rodgers-Hart, with the arrangement credited to Anthony R. Morelli. Glee club, in afternoon dress, gives the sequence its opening, while for a vocal interlude Robert Shanley and June Forrest serve as a romantic double, later winding up things with the glee clubbers. The voices of the Shanley-Forrest twain are pleasing.

Nicholas Daks and Marie Grimaldi front a graceful but not especially ingenious routine for the ballet bunch. Theme is colonial and the large manse ballroom setting, nicely designed, matches. Costumes provide old-fashioned warmth as well as color.

The Arnauts do their old lovebird turn and relinquish the stage to the Rockettes for a flag-waving finale. Following a brief intro by Miss Forrest, a setpiece, through the aid of intricate mechanics, evolves into the entrance to the nation's capitol. Girls emerge from it, coming down the steps for some terps. They do a routinish type of tap number, dressed in the colors-stripes of the flag. Bruno Maine didn't get such a good reproduction of the cap at Washington.

Business fairly good at show caught Friday (21). *Char.*

APOLLO, N. Y.

Billie Holiday, Slim and Slam, Flournoy Miller, Nina Mae McKinney, Avon Long, Winnie Johnson, Johnny Vigal, Louis Douglas, Toni Ellis, Choir (10), Chorus (12 girls, six boys), Showgirls (6); 'Dark Streets of Cairo' (U).

This is nothing but a hodge-podge, one of the slowest and stutteringest shows the Apollo has offered in weeks. It's a combination of the left-overs of a revue the house played two weeks ago and a couple of names added to bolster it. Latter are Billie Holiday and Slim and Slam.

Revue, 'Tan Manhattan,' produced by Irvin C. Miller with tunes by Eubie Blake and Andy Razaf, opened in Washington about a month ago as a two and one-half-hour show. Apollo management saw it and liked it, selecting its best stuff for the original 90-minute Harlem edition. It clicked so well—and the band policy which the Apollo resumed last week did so badly—it was decided to play the hour of 'Tan Manhattan' which was eliminated two weeks ago. Result, as might be expected, is the dregs. Billie Holiday is a welcome addition, while Slim and Slam score only mildly.

Comedy, as in the original portion, is weak. It's handled by Flournoy Miller in blackface, Johnny Vigal as the straight but the biggest laugh-grabber, and Louis Douglas. Dancing, generally the strong point of chrome shows, is likewise mediocre. Specialties are handled by Avon Long and the attractive Winnie Johnson (Stepin Fetchit's wife) and by a line of 12 girls and six boys. Routines are uninspired in both planning and execution.

Nina Mae McKinney, who apparently would rather have been a Sarah Bernhardt than a warbler, does a cornily over-acted version of 'Nickel for a Dime,' written for the show and a so-so tune at best. Toni Ellis vocalizes briefly 'Waking Up the Folks Below,' also no great shakes. And three gals from the mixed choir of 10 who do a sister trio must be kidding. That's the only explanation.

Miss Holiday smashes over powerfully with her slow-measured and melancholic throating. Slim and Slam, back together for their first date after a separation, have not quite rounded up an act yet. Boys, as before, work on guitar and bull fiddle, one of them doubling on the xylophone and at terping. It's not bad, but too slow, particularly so when in an exhibition of bass technique the instrument is made to perform like a fiddle. That phase is interesting but overdone.

Eubie Blake himself conducts in the pit. Seemed to be missing cues when caught (late show Friday) and creating a bit of a lag as well as lack of assurance in the cast. *Herb.*

PARAMOUNT, N. Y.

Ella Fitzgerald Orch (14) under direction of Babe Wallace with Teddy McRae; Peg-Leg Bates, Chuck and Chuckles, Bob Howard; 'You're the One' (Par), reviewed in VARIETY, *Feb. 5.*

All-colored aggregation on the Paramount stage this week, headed by Ella Fitzgerald, is slick and showmanly. As topper Miss Fitzgerald whams across varied lineup of smooth and swingy lyrics to returns that leave little doubt about the audience vote. 'Five o'Clock Whistle' and 'Whatcha Know, Joe' are possibly the most appealing as novelty tunes, with 'A-Tisket-A-Tasket' wisely tying in with Miss Fitzgerald's record and radio popularity for a clincher.

Babe Wallace in front of the band, also doing vocals, turns in a swell job of batoning the former Chick Webb orch, which functions expertly. Musicians' playing of 'Chicken Ain't Nuthin' But a Bird,' with Wallace vocals, stand out following their 'Rhythm Man' and 'Santa Fe Trail' (ballad), both of latter also being warbled by Wallace. Band reaches peak tempo in 'Kansas City Mood' when Teddy McRae at the sax and a guitar solo are featured.

Peg-Leg Bates opens strongly with some clever tapology and draws returns which prompt crack: 'Encourage me and I'll break the other leg.' Comedy patter is light but one-legger's acrobatic number and intricate maneuvering on stump is nothing short of amazing.

Bob Howard turns in a sock performance singing 'Melancholy Baby' with comedy interpolations, followed with cute novelty imitation of mechanical player piano. 'Franklin D. Roosevelt Jones' highlights the Howard act, which closes with take-off on an amateur singing 'I'm Nobody's Baby.' Laugh returns heavy throughout.

Chuck and Chuckles precede Miss Fitzgerald with standard comedy and hoofing.

Biz at dinner show Wednesday (19) nearly capacity in orch. *Mori.*

KEITH'S BOSTON

Boston, Feb. 20.

Ben Bernie Orch (14) with Bailey Sisters (2), Donald Saxon, Johnny Ryan and Dale Winthrop, Cass Daley; 'Six Lessons From Madame LaZonga' (U).

It's mostly the Ole Maestro up to his old tricks this week, with the expert assistance of the Bailey Sisters in his own unit and the show-stealing Cass Daley. Bernie is drawing good trade here, the house running a single film and four stage shows daily at slightly tilted prices.

The ole cigar smoker got a flattering patter of recognition when he first showed in the spot, but soon displayed a penchant for hogging the wattage as the band show developed. Particularly noticeable when some of his soloists were performing in their own spots. Audience reaction to this technique was clearly clinched when he suggested that he might step off stage while the Bailey Sisters vocaled, after he participated in a thing called 'Li'l Abner.' Enthusiastic applause greeted this idea, and Bernie retired for one of their numbers. These girls are one of the band's best assets, and they register solidly with 'Man Who Comes to Our House' and 'Boogie Woogie to You.' The orchestra, provided with slick arrangements, gives them excellent backing.

Bernie pulls some smooth, casual quips during his announcing, and it's regrettable that he does not go in more for this type of stuff, rather than the corny shagging he does to front the band numbers. In his own turn of fiddling, Bernie gets over okay in a brief bit of hokum and then in a more serious effort on 'Meditation,' from 'Thais.' He plugs a certain local eatery so many times during the show that it's anybody's guess as to whether he's chowing on the cuff there or owns a piece of the place.

Miss Daley is socko in her dizzy singing session, tearing the pants off 'Ole Man Mose' and whamming 'em with a rugged, double entendre medley based on song titles. She gives it 'to 'em hot and fast and they made her beg off. Easily the standout turn of the layout.

Dale Winthrop, tapper, was well-received for her two sessions of refreshing, clean-cut dancing, and she also is greatly aided by some smart arranging that makes the most of a stop-time technique. Two male singers with Bernie are Donald Saxon in 'Hear a Rhapsody' and 'Ole Man River' and Johnny Ryan in Irish stuff and 'Never Smile Again.' Incidentally, Ryan gets ace piano accompaniment from Nick Brodeur, whose work sparkles when it's allowed to peek through the orchestrations.

'Dear Old Southland' is a heated opener for the band and it docs all right with 'Johnson Rag' at the half-way mark. Closer is a satisfactory medley impersonating other bands. The show is well-routined and Bernie's unit runs through at a more showmanly pace than the average stage orchestra. *Fox.*

STRAND, N. Y.

Raymond Scott Orch (14), featuring Clyde Burke, Gloria Hart, Jimmy Byrnes, Stanley Webb, Art Ryerson; DeVal, Merle & Lee; Paul Remos & Toy Boys (2); 'Strawberry Blonde' (WB), revieed in VARIETY, *Feb. 19.*

Raymond Scott's enlarged band (Orchestra Reviews) and James Cagney on the screen are seemingly an excellent parlay for boxoffice, judging by the pace at the wickets from the barrier. The Washington's Birthday weekend further hypos biz for a fancy take on the first stanza. Besides, Cagney is a natural always for the Broadway Strand.

Scott is the prime draw but the supporting layout pars the quality of the stellar band. There's a judicious admixture of variety, novelty and comedy that makes for a fetching blend of values.

DeVal, Merle and Lee, one of those Hartmanesque adagio combos, have smoothed out their kinks in the past couple of months and shape up for good sight values, either in vaudfilm or for cafes. They're a shade different from the run-of-the-mine hokum ballroomatics and fill a pleasant interlude with the tangled hands, wrong coats, etc.

Paul Remos and his two shapely midgets, whose neat billing of Toy Boys fits them well, make their routine palatable throughout. Discovered in two handbags, the mites' stepping and music-risley-routine, plus the aerobatics with Remos as understander, dovetail into a fetching blend for seven minutes or so. The finale conga is new and OK.

Otherwise the burden of the bill is all Scott's with his versatile vocal and instrumental aides, as further detailed elsewhere in this issue. He delivers handily. *Abel.*

COLONIAL, DAYTON

Dayton, Feb. 22.

Nick Lucas, Lya Lys, Four Co-Eds, Frank Paris, Lorraine and Rognan, Lew Parker and Co.; 'Play Girl' (RKO).

Nick Lucas heads a bill that strikes only a fair average. Returning here after several years' absence, Lucas and his guitar have no trouble wowing the customers with a string of time-tried tunes, including 'You're the One,' 'We Three,' 'Painting the Clouds with Sunshine,' 'Music, Maestro,' ending with 'That Great American Home' for a patriotic finale.

Next to Lucas, great applause getter was Frank Paris and his excellent puppets, including a Spanish dancer, an ostrich, a Sonja Henie skater, a jiver and a skeleton, all of which are manipulated in full view of the audience. Paris works them to best effects.

Lya Lys, headlined with Lucas, has little to offer. First, there's some rather inconsequential chinning between the film player and Lew Parker, who emcees for the show, and then one song, 'The Last Time I Saw Paris,' done in rather haphazard fashion.

Parker has a bright and snappy line for his introductions, leaving comparatively little for him to do when his own act comes along. However, a skit illustrating how various persons eat and a draft lyric, 'I'd Rather Have a Rifle on My Shoulder Than a Wife Around My Neck,' go over well.

The bill opens with the Four Co-Eds, tappers, who do a stairs number, turn cartwheels and do splits. Just average.

Lorraine and Rognan, she with the live canine neckpiece and a whiz at grotesque body contortions, and he an excellent softshoe tapper, still have plenty of socko audience appeal in spite of their having appeared here repeatedly. *Kany.*

EARLE, PHILLY

Philadelphia, Feb. 21.

Ray Noble Orch (15) with Larry Stewart, Lynn, Lee and Lou, George Tapps, Joe and Jane McKenna, Kitty Carlisle; 'Play Girl' (RKO).

It's Ray Noble's initial appearance in Philly this week and from early indications it looks like a winner.

The band is different from the run-of-the-mine swing outfits, exuding plenty of polish and class in its playing and deportment on stage. At first glance it looks like the Rainbow Room touch would be too much for the regular vaude customers and jive addicts, but Noble's crew knows just when to let down the bars and get down to fundamentals.

Larry Stewart, baritone vocalist, is a localite who developed quite a following when he worked on radio stations around town, and he got quite a hometown reception during his stint with the band. His baritoning of 'Down Argentine Way,' 'Nightingale Sang in Berkeley Square' and 'Beguine' garnered plenty of applause.

Show ran 75 minutes when caught Friday night (21), nearly 20 longer than the usual Earle offering, but there weren't any dull moments. Band works in front of a eye-arresting backdrop depicting the New York skyline. Lighting effects particularly rate kudos, setting off the bandstand and musicians in a fetching manner.

Lynn, Lee and Lou are a trio of cuties who know the song-selling angles. They're at their best in a swing version of Gilbert and Sullivan's 'Three Little Maids.' Three bandsmen follow this with a burlesque of the same that brings plenty of guffaws. Rating special plaudits is George Tapps, who has an easy hoofing style.

Joe and Jane McKenna are a contrast to the smoothness of the rest of the bill. The pair are knockdown and drag-out hoofers, and very funny. Exceptionally rib-tickling is Joe McKenna's drunk act and a comic adagio dance by the team.

With the exception of Kitty Carlisle, the show is almost intact from the one that played two weeks at the Strand, New York. Miss Carlisle appears in an oomphish, low-cut evening dress and scores with 'Ferryboat Serenade,' 'Balalaika' and 'There'll Always Be an England.' Latter got a big hand from the pro-British audience.

Finale is socko with a medley of Noble-composed tunes, with maestro at the piano.

House almost filled at show reviewed. *Shal.*

STANLEY, PITT

Pittsburgh, Feb. 21.

Cab Calloway Orch (16), Avis Andrews, Cook and Brown, Six Cotton Club Boys, Anise and Aland, Cozy Cole, Chu Berry, Max Adkins House Band (16); 'High Sierra' (WB).

WB deluxer hasn't gone in for colored shows for a couple of years, and management couldn't have picked a better one to get them started again. Cab Calloway's snappy unit is typically Cotton Club, and a typical Cotton Club revue is a bargain in any film house. For a change, too, the Stanley has given some good vaude a boxoffice picture ('High Sierra') to boot and the turnstiles testify quickly to the soundness of such a policy. Easily the biggest opening house has had since Mickey Rooney's in person date last September, with the downstairs and balcony full up at getaway and a sizeable line waiting to break through.

Calloway himself still packs a wallop with his imitation of a whirling dervish, has a band that sells his hi-de-ho stuff to a fare-thee-well and grows in stature as a showman with the passing years. He's definitely a singular personality and could probably take a gang of second-rate street musicians and sell 'em long. So happens, however, that he has one of the sweetest gang of tooters and thumpers in the business and they make with the jungular jazz like a pack of wolves. Setup is six brass, five reeds, drums, guitar, piano and bass, and the music booms through the house and comes out in the toes and the hips. First performance mob had the upstairs rocking with their physical enthusiasm.

Band gets away fast after few bars of inevitable 'Minnie the Moocher,' with a Calloway standby, 'St. James Infirmary Blues,' hi-de-hoed vocally by the Cab, and makes way for good-looking mixed team of Anise and Aland, who pack a hoofing wallop. Kids do everything and do it well, and wrap up the impression of a skyrocket in their few minutes. Their finish to the 'Beer Barrel Polka' is a honey, but no more so particularly than the rest of their stuff. Orch follows with sizzling arrangement of 'Some of These Days' and 6 Cotton Club Boys, dressed nattily in military uniforms, give out with some hot ensemble and challenge tapping for another high spot. Preceding Avis Andrews, Calloway heats up the house with 'Jumpin' Jive,' with Andrews gal conking 'Yours Is My Heart Alone' and 'Night and Day' right on the button. She's a high-class canary but doesn't fit the Galloway pattern, watch was best reflected by the restlessness of the crowd during her specialty. Calloway can't get them at a fever pitch the way he does and then spring somebody like Miss Andrews on them. It's strictly mismating.

Jive outfit of five pieces steps down from stand and picks things up again with 'Runnin' Wild' and Cozy Cole on the drums continues the torrid pace with his pyrotechnics in 'Paradiddle.' Next-to-closing spot is reserved for Cook and Brown, and they're the boys for the job with their comedy legmania. It's an act grooved to the Calloway style and a couple of lads who can hold their own in the fastest company. An A-1 bet for some good musical producer. For a finish the entire cast is back again, garbed in Cuban ruffles, for a snappy conga that pushes the temperature into the higher brackets. A corking curtain that writes a reluctant finis, as far as the cash customers are concerned anyway, across a corking unit. *Cohen.*

ROXY, N. Y.

Joe E. Howard, Three Swifts, Capella and Beatrice, Stars of Yesterday (Edith Helena, Harry Klein, Marshall Rogers, James Quinn and Dave Wallace), Gae Foster Girls, Boys, Paul Ash House Orch; 'Tobacco Road,' (20) reviewed in this issue.

Stage show at the Roxy this week is one of the least entertaining which the big theatre has put on in many months. Has the appearance of being slapped together in a hurry with a minimum of thought and cash given to dressing up the background for the acts.

Topping the bill is Joe E. Howard and the familiar repertory of his own songs, which he has been featuring on the 'Gay Nineties' radio program. In line with the nostalgic ballads he introduces 'Stars of Yesterday,' who do a series of specialties. Group includes Edith Helena, coloratura; Harry Klein and James Quinn, who tap separately; Marshall Rogers, drinking tumbler virtuoso; and Davis Wallace, banjo.

Given a more intimate setting than the broad reaches of the Roxy stage Capella and Beatrice, from the Rainbow Room, would merit more enthusiastic audience response than their distinctive ballroom routines arouse. They are splendid performers, offering some dizzy twirling. The Three Swifts get chuckles with their standard Indian clubs nonsense. On the pictorial side the Gae Foster girls are very attrctive as oldfashioned girls. The finale is a bicycling ensemble of moderate interest.

House orchestra was a bit ragged on the cues at the second show opening day (20). *Flin.*

HIPP, BALTO

Baltimore, Feb. 22.

Gene Sheldon with Loretta Fisher, Six Honeys, Dennis Sisters (3), Wesson Bros. (2), Lynn, Royce and Vanya, Phil Lampkin House Orch (12); 'Mr. and Mrs. Smith' (RKO).

Standard stuff here this week. Smooth-playing layout knits together rather well, making for a fast-moving if rather brief doings.

Six Honeys open with some tappery followed by good tumbling and a novel twist of the three femme members shoulder-catching the males for good flash and strong getaway.

Dennis Sisters, trio of nice-looking vocalists, hold down the deuce with 'Ferryboat Serenade,' 'Maybe' and 'Argentine Way.' Keep matters on move and set a spot for the Wesson Bros., who follow. Two lads essay series of impressions with one doing the talking which is synchronized to the mugging and gestures of the other. Bergen-McCarthy bit is okay for plenty of laughs and encore of F.D.R. and the First Lady, in some inane talk and a spot of jitterbug hoofery is quite funny, if questionable as to taste. Drew rousing response when caught and a series of well-earned bends.

Gene Sheldon follows with deadpan comedy and banjo stuff. Funny panto and smartly worked-in socko instrumental session highlight the layout all around. He has okay assistance from Loretta Fisher, who helps build the laughs. Sheldon has been here several times before, but stubholders went for him in big way, regardless.

Comedyladen setup takes on additional laughs with closing stint of Lynn, Royce and Vanya, two men and a girl, in burlesque ballroom stuff.

Biz okay. *Burm.*

LYRIC, INDPLS.

Indianapolis, Feb. 21.

John Kirby Orch, Maxine Sullivan, Hickey Bros. and Alice, Lester Omas, Six Tiptop Girls, Eva Fields; 'Road Show' (UA).

John Kirby and his five musical assistants move from the Columbia network to the stage of the Lyric theatre this week to show the natives that jive ability doesn't depend upon the population of the bandstand. Kirby fingers the bass with the rest of the combo adding up to piano, drums, clarinet, saxophone and trumpet.

They're plenty solid on swing tune to open, then into 'Dawn On the Desert,' featuring some educated reed work by the clarinetist; 'Rehearsing for a Nervous Breakdown' gives the drummer a spot on the skins. Maxine Sullivan adds a sock with her personalized singing of 'Who Is Sylvia,' 'Mollie Malone,' 'St. Louis Blues' and 'Lock Lomond.' All band needs is dressing and lighting. Wearing tuxedos, they stand before a standard drop for their stint, working in three, which handicaps them from the standpoint of settings. Turn is presented as closing act of bill.

Tiptop Girls open with military acro dance, then go into pyramiding, cartwheels and usual muscle work. Six femmes stick mostly to gymnasium accomplishments without any breath-taking tricks in their routine.

Eva Fields is current winner of WFBM 'Talent Parade.' Does a quickie of 'There'll Be Some Changes Made.' Has a neat dress, but her exit needs timing as she strolls off as if going into the kitchen for a loaf of bread.

Lester Oman handles puppets. Works down on apron, with spotlight only on dolls. Has a Negro dancer, skeleton, old lady and a re-creation of himself operating a puppet. For a close, femme vocalist sings 'Grandpa Learned to Swing' in stage shadows, while Oman operates grandpa puppet. Good deuce act.

Hickey Bros. and Alice could have their act sound-filmed and stored away for posterity as the perfect example of a vaude turn. One of the brothers wears the old coonskin coat and straw hat with widened mouth corners and red nose. Other brother is sartorially resplendent in white suit and brown powder. They tell jokes, then are interrupted by the girl who sings. Use prop gags on stage such as two dummies, one of them alive; descent into imaginary basement for beers; slap on head with tray, and wet towel for vocal efforts. Finish with unison dance by the boys while the girl sings. It's educational for the youngsters in case they're interested in theatrical history.

Bill runs 56 minutes with biz fair at third show opening day Friday (21). *Kiley.*

EARLE, WASH.

Washington, Feb. 22.

Naitto Troupe, Hoo Shee, Borrah Minevitch Harmonica Rascals, 16 Gae Foster Girls; 'Strawberry Blonde' (WB).

Minevitch's harmonica gang gets the top billing in this one, but Hoo Shee provides the novel touch for the publicity and the show is worked up with a Chinese motif throughout. Total is smooth, varied and sends 'em away not exactly bowled over but well satisfied about vaudeville as a continuing institution.

Eileen Ritter, the line's solo vocalist, works into the overture, finishing with 'Chinatown,' sung before traveler a la guide steering flock of tourists. Ten linegals work out on second chorus, wearing assorted sport dresses for sight-seeing stuff. Curtains part, gals fall to stations and four more girls in showgirl mandarin garb introduce Naitto Troupe, working on tightwire, strung across stage in front of Chinatown set, pit band in side alcove.

Women do all the performing, working in brief acrobatic costumes, although a man is in evidence as sort of prop boy. Highlights of act include two gals in head-to-head walking up steps, walking across wire with gal standing on another's shoulders, solo forward somersault, solo backward somersault, and splits on wire. Women spend a lot of time getting set for stunts, more than is justified as showmanship, and seem none too certain about themselves; but when they make it, they register solidly.

Four linegals with parasols do trick quartet intro of Hoo Shee. Chinese gal slips out in long blue silk kimono for medley, swung but decorated with Chinese twang. Doffing kimono she carries on in white crepe evening gown via a hot rhumba medley in English and finishes with 'I Am an American,' also done hot. Gal is good enough to get by both visually and vocally and the Oriental twist makes her surefire.

Line hoofs on for fast formation taps biz to 'China Boy,' Hoo Shee dancing back and disappearing. Gals are interrupted by offstage shooting, shouting and flash of Chinese chef chasing kid with meatcleaver. Line flees and Harconica Rascals dash out as Chinatown ragamuffins. Act, featuring the stumpy little guy with sock don't-pick-on-me horseplay, wows 'em as usual. Big number, intricate arrangement of 'Pique Dame,' is done fairly straight and gets top hand. Show finishes with all hands on deck, Hoo Shee doing a reprise of 'Chinatown' and making the thank-you speech.

Biz good at show caught. *Craig.*

EMBASSY, N. Y.

(NEWSREELS)

War and its many ramifications take precedence again in the newsreels this week. Effect of the belligerent atmosphere extends even to woman's fashions, with a Fox Interlude of print dress styles which carry insignias of various branches of service.

There are no less than 27 out of 50-odd clips which turn attention to the war in one form or another, from shots of U. S. bombers being prepared for delivery to England to poignant scenes from France.

The Embassy is also showing Quentin Reynolds' powerful 'Xmas Under Fire,' which debuted recently at the nearby Strand, and what seems to be a refurbished travelog of Greece, to which has been added takes of the Grecian army on parade before the war. It's titled 'Heroic Greece.' Reynolds' document and his accompanying commentary is heavily loaded in pro-British sympathy and it had audible effect on the audience at this showing.

Remainder of the bill runs through the average weekly collection of domestic events in sports, etc. *Wood.*

STATE, N. Y.

Lou Holtz, Wendy Barrie, Arline Judge, Lola Lane, Ruth Day, Diane De Rio; Ruby Zwerling's House Orch; 'Philadelphia Story' (M-G).

Originating in Hollywood, this femme show with Lou Holtz m.c.ing is only a fair unit. Although it has several picture names, it is more likely that the film is the real draw, even though 'Philadelphia Story' recently completed showing at the nearby Music Hall for six weeks. Usually the edge is off when a picture is slotted into the State after a close-by run. Last stage show on the first day (Thursday) started at 10:25 and ran 50 minutes, having been cut because of the film's length. House was packed.

Holtz is somewhat subdued, being surrounded with lookers. After saying that because it costs a lot of coin to go to the Coast, he brought a bit of Hollywood to Broadway, the comic gets tangled up, then woos mild laughter with jive chatter. Holtz then sounds on with a Lapidus yarn that sounds like a cleaned-up story. He has the inevitable cane, but there's no monkey business this trip.

Although she has bottom billing, Diane Del Rio, who gives with the hips, is the most amusing of the girls, affording Holtz the opportunity of going into funny Latin-American lingo in interpreting the Argentine's remarks. Senorita Del Rio animated, and they liked her.

There's quite a buildup for Arline Judge. In the lobby she is shown in a bathing suit, which is something of a come-on, what with her beauteous form, but on the stage she is garbed with a rather voluminous trouser-skirt. While most of Miss Judge's contribution is dialog with Holtz, she smiles herself into a good hand.

Lola Lane, one of the main blondes in the unit, follows, and it seems there is too much talk at this turn of the act. A flirtation bit with Holtz is given in reverse, but Miss Lane scores with the Hammerstein-Kern 'The Last Time I Saw Paris.' She has a rather throaty, pleasant voice. A special verse is interpolated into the number. Miss Lane is quite a beaut, even if some don't like that funny hair-do that hides her forehead.

Wendy Barrie, who is given top billing, is next in line, Holtz calling her a Bridgeport blonde. He gets some fun out of listening to her tell a Lapidus story, with dialect. For an opener Ruth Day tap dances effectively, giving two routines of that type, finishing with Hawaiian stuff.

Holtz has dug up his prop guitar bit for the finale and for good measure there are Miss Judge, Miss Barrie and Miss Lane, also toting similar breakaway instruments. Each has a verse of 'O Sole Mio,' a number that the comic had in mothballs for years. He has been funnier. General idea is to let the girls do it. And they do the best they can. *Ibee.*

FLATBUSH, B'KLYN

'Funzafire' unit with Benny Meroff Orch (10) with Terry Howard and Jack Talley, Louise Shannon, Dave Seed, Abe Shapiro, Billy Morosco, Joe Vanel, Line (8); Newsreels and Shorts.

'Funzafire,' Benny Meroff's hybrid combination of burlesque, vaudeville and musical comedy, which is very similar to 'Hellzapoppin,' is the sort of corn that vaude house audiences generally lap up eagerly and unquestioningly. It's Meroff's first appearance with this unit in the New York territory, and healthy reception at this Brandt house augurs well for the balance of route, for which he is reportedly booked solid until June.

Meroff has an agreeable stage presence and an aptitude for carrying off even slightly blue gags with pleasant urbanity. He's completely at ease on the stage, handles a whole platoon of screwball comics with remarkable facility, and works with the line and band at the same time. Show is wild and completely nutty, but effective as a laugh-getter. Opens with a fat lady in a red dress, carrying a large box, trying to find a seat and thereby causing something of a commotion. Man dressed up in a lion skin chases girl down the aisles. Two jitterbugs suddenly do an impromptu dance in the middle of the aisle and a guy selling balloons amiably peddles his wares in a raucous voice.

Everything goes. While the band is playing a girl is 'murdered' in the box and a dummy sent flying to the stage. Lady starts to leave the theatre in the middle of a number and when Meroff tells her show isn't over yet she hollers, 'I have to leave. Do you mind?'

'Funzafire' is rowdy, corny, frenzied and completely without rhyme or reason, but the customers at this show kept right on laughing. For a change of pace the fat lady comes on stage to try an operatic number while the drummer goes completely haywire, batting out hunks of bread at the audience with his sticks. Meroff essays a Ted Lewis imitation singing 'Just Around the Corner' with st[illegible] sent-

(Continued on [illegible])

Variety Bills

THIS WEEK (Feb. 21)
NEXT WEEK (Feb. 28)

Numerals in connection with bills below indicate opening day of show, whether full or split week.

Loew

NEW YORK CITY
State (27)
Pritchard & Lord
Sibyl Bowan
Calgary Bros
George Givot
Bill Bardo Orc
Sammy Kaye Orc
Nonchalants

Statler 2
Chriss Cross
WASHING
Capitol (28)
Rhythm Rockets
Jay C Flippen
Bob Neller
Billy Branch
G & B Maisen
Mari Gainsworth

Paramount

NEW YORK CITY
Paramount (26)
Tony Pastor Orc
Ben Blue
Ella Logan
Toy & Wing
BUFFALO
Hippodrome (28)
Streets of Paris
CHICAGO
Chicago (28)
Carroll Vanities

State Lake (28)
Ray & Trent
Lew Parker Co
MIAMI
Olympia (27-3)
West & Paige
Cinda Glenn
Anita Louise
Gauchos
MINNEAPOLIS
Orpheum (28)
International Rev

RKO

BOSTON
Keith (27-2)
6 Greys
Bobby Pincus Co
Smoothies
Henny Youngman
Los Rancheros
CINCINNATI
Shubert (28)
Glenn Miller Orc
(21)
Allen & Kent
Jack Fulton
Fred Sanborne
Blackstone
CLEVELAND
Palace (28)
Ray Noble Orc
Fred Sanborne
Frank Paris
Merle Hollis

(21)
Glenn Miller Orc
3 Arnolds
Paul Regan
COLUMBUS
Palace (21)
Folies Bergere
DAYTON
Colonial (28)
Screwballs of '41
(21)
4 Co-Eds
Lya Lys
Frank Paris
Lorraine & Rognan
Nick Lucas
Lew Parker Co
SYRACUSE
Strand (28)
Marcus Rev
(21)
Streets of Paris

Warner

NEW YORK CITY
Strand (28)
Raymond Scott Orc
Paul Remos Co
DeVal-Merle & Lee
PHILADELPHIA
Earle (28)
Lou Holtz
Wendy Barrie
Arline Judge
Lola Lane
Ruth Day
Jack Sidney
Diana Del Rio
(21)
Ray Noble Orc
George Tapps
J & J McKenna
Kitty Carlisle

PITTSBURGH
Stanley (28)
Folies Bergere
(21)
Cab Calloway Orc
6 Cotton Club Boys
Avis Andrews
Cook & Brown
Anise & Aland
WASHINGTON
Earle (28)
Gae Foster Gls
Adreans & Charley
Cass Daley
Harris, Claire & S
(21)
Minnevitch Co
Hoo Shee
Naitto Tr
Gae Foster Gls

Independent

NEW YORK CITY
Music Hall (27)
Robert Shanley
T & B Wonder
3 Pitchmen
Rockettes
Corps de Ballet
Erno Rapee Symph
Roxy (27)
Joe Howard
3 Swifts
Capella & Beatrice
Paul Ash Orc
Apollo (28)
Tropicana
Sister Tharpe
Conway & Parke
Calypso Singers
3 Bye Sis
Academy of Music
(28 only)
Bob Howard
Patricia Lane
Mae Wynn 4
Raynor Lehr Co
Jack Holst Co
Park Plaza
(26-27)
Bob Howard
Patricia Lane
Mae Wynn 4
Raynor Lehr Co
Jack Holst Co
Riviera (1-2)
Bob Howard
Patricia Lane
Mae Wynn 4
Raynor Lehr Co
Jack Holst Co
Windsor (27)
Funzafire
BALTIMORE
Hippodrome (27)
6 Honeys
Wesson Bros
Gene Sheldon
Lynn, Royce & V
Royal (1)
Don Redman Orc
Otto Eason
Billie Halliday
Moke & Poke
Henry Armstrong
State (2-5)
D & D Workman
Foley & White
Casanova Dano
BROOKLYN
Flatbush (27)
James Barton

Tommy Reynolds O
Yvette
June Lorraine
Geraldine & Joe
CAMDEN
Towers (28-2)
Virginia Austin
Gregory & Raymond
Nick Lucas
Ross & Bennett
7 Fredysons
Stubby Kay
ELIZABETH
Liberty (27-2)
Stanley & White
3 Byrons
Killeen & Edwards
3 D'Espys
(One to fill)
FREEPORT
Freeport (27-1)
Kirk & Lawrence
Nelsons
Harry Rose
(Two to fill)
HARTFORD
State (26-2)
Bobby Byrne Orc
Brown & Ames
Jones & Hersey
Evelyn Farney
Powers Models
NEWARK
Adams (28-2)
Tommy Tucker Orc
Kenny Baker
3 Sailors
Stapletons
PATERSON
Majestic (28-3)
White Way Rev
PHILADELPHIA
Fay's (27)
Shayne & Armstrong
J & M Mulcay
Roxonne
Paula Lind
Harry Reso
Stritt & Kay
John Lonergan Gls
Carmen (28)
Eddie White
Line 3
(Two to fill)
PITMAN
Broadway (1 only)
D & D Workman
Foley & White
Casanova Dano
(One to fill)
PROVIDENCE
Metropolitan
(28-2)
Henry Armetta

Bob Chester Orc
J & J McKenna
3 Wiles
Dorn Bros & M
WORCESTER
Plymouth
(24-26)
Marcus Show

Cabaret Bills

NEW YORK CITY

Armando's
Gee Morris Orc
Pedrito Orc
Ann Graham
Beachcomber
Michael Loring Orc
Chavez Orc
Elsa Valladares
Carmen Amaya
Bill Bertolotti's
Don Silvio Orc
Angelo Orc
Barbara La Marr
Lynn & Marianna
Elvira Carlos
Loretta Lane
Joan Benoit
Bill's Gay 90's
Charles Strickland
Lulu Bates
Fred Bishop
Spike Harrison
Harold Willard
Harry Donnelly
Bernie Grauer
Cafe Bruno
Chick Raines Orc
Gynla Gray
Anne Forrest
Threesome
Cafe Continental
Yascha Datsko
Nordstrom Sis
Alex Makofka
Patricia Wing
Hado Hurd
Irene Stanley
Cafe Pierre
Gerry Morton Orc
Lee Wiley
Cafe Society (Midtown)
Teddy Wilson Orc
Eddie South Orc
Hazel Scott
Ammons & Johnson
Kenneth Spencer
Cafe Society (Village)
Henry Allen Orc
Meade Lux Lewis
Art Tatum
Willie Bryant
Sammy Pierson
Mae Diggee
Chateau Moderne
Maurice Shaw Orc
Gabriel
Ruth Richmond
Dick Wade
Sam Grassi
Club 18
G Andrews Orc
Pater Brent Orc
Hazel McNulty
Jackie Gleason
Maxine Loomis
Lillyan Dell
Pat Harrington
Frankie Hyers
Jerry Blanchard
Terry Lasky
Janet Lind
Club Gaucho
Don Miguel Orc
Currito & Coral
Marita
Fontana
Club Waikiki
Harold Aloma Orc
Lotus Alin
Copacabana
Nat Brendwynne Or
Juanita Juerez
Frank Marti Orc
Fernando Alverez
Patti Pickens
Harrison & Fisher
Samba Sirens
Cuban Casino
Consuelo Moreno
Don Casanova
Dimas & Relen
Effi Dorre
Diamond Horseshoe
Noble Sissle Orc
Blanche Ring
Gilda Gray
Eddie Leonard
Julian Eltinge
Harland Dixon
Prof Lamberti
Wini Shaw
Horton Spurr
Dave Mallen
Hermon Hyde
Sally Burrell
Chico
Don Alberto Orc
Martinez & Antonia
Lolita Gomez
Pepe Hurtado
La Gitanillle
Maria Lopez
Los Aztecas
Famous Door
Joe Marsala Orc
Adele Girard
Bes Kalmus
Frances Carroll
Marion Eddy
Dorothy Ross
Gay White Way
Shep Fields Orc
Joan Edwards
Harris & Shore
Bob Shea
Carol King
Geraldine & Joe
Gloria Blake
Marion Miller
Jorge Negrete
Juanita Rios
Mimi Kellerman
Coley Worth
Marcia Ray
Ann Pennington
Betty Jane Smith
Gr'nwi'h Village Inn
Anthony Trini Orc
Aileen Cook
Danise

Johnny Howard
Claire & Arena
Hotel St. Regis
Hal Saunders Orc
Gus Martel Orc
Dorothy Lewis
Heasley Twins
Hazel Franklin
Hotel Taft
Frankie Masters Or
Hotel Waldorf-Astoria
Room
Leighton Noble Orc
Mischa Borr Orc
Adelaide Moffett
Paul Gerrits
Hurricane
Vincent Lopez Orc
Anna Barrett
Sanny Skyler
Marty May
Winnie Hoveler Gls
Iceland Restaurant
Ted Eddy Orc
Manuel Ovando Orc
Jack Jill
Duffy & Simona
Nola Day
Bobby Ahearn
Kelly's Stable
Lester Young Orc
Slim & Slam
Billy Holiday
Billy Daniels
Norine Tete
La Conga
Jack Harris Orc
Nora Morales Orc
Adele Norella

Monte Carlo
Ted Straeter Orc
Ethel Watore
Old Roumanian
Joe La Porta Orc
Ethel Bennett
Sadie Banks
Jenia Pobedinia
Buddy Walker
Chiquita Venezia
Eli Spiveck
Place Elegante
Ernest Franz Orc
Bernice Manning
Bill Farrell
Joe Ravazo
Vincent de Costa
Art Tubertini
Tino Doncili
Rainbow Grill
Barry Winton Orc
Julian & Marjori
Jean Murray
Rainbow Room
Ben Cutler Orc
Virginia Hays
Maggi McNellis
Ilsa & Vilan
James Copp, III
Ruban Bleu
Hope Emerson
Vera Sanoff
Dello Boys
Casper Reardon
Russian Kretchma
Nicolas Matthey Or
Peter Namiroff Orc
Olga Ivanova
Nastia Polikova
Marusia Seva
Adia Kuznetzoff
Senia Karavaeff

BOOKING THE NATION'S LEADING INDEPENDENT VAUDEVILLE THEATRES
EDWARD SHERMAN
1619 BROADWAY NEW YORK COL. 5-0930

Eleanor Knight
Bernice Manning
Dorita
Grace Patterson
Frank McCormick
Havana-Madrid
Froilan Maya Orc
Juanito Sanabria Or
Arturo Cortez
Pepita & Lucia
Carlos Valades
Manor & Mignon
Rosita Ortega
Hickory House
Babe Russin Orc
Hotel Algonquin
Bela Bizony
Renato
Linda Lee
Baldwin Bergerson
Oscar Andree
Doodles Weaver
Hotel Astor
Dick Kuhn Orc
Senda Williams Orc
Hotel Belmont Plaza
Arthur Ravel Orc
Joe Pafumy Orc
Mishel Gorner O[illegible]
Gwen Gary
Lucille Johnson
Moro & Chita
Marcia Neil
Belmont B[illegible]
Hotel [illegible]
Horace Heidt Orc
Hotel Bossert (Brooklyn)
Eddie Lane Orc
Hotel Brevoort
Paula Lawrence
Tana
Paco Sierra
Sam Ray
Julius Monk
Norbert Faconi
Hotel [illegible]ison
Mal Hallett Orc
Madelina Gray
Hotel Essex House
Paul Baron Orc
Hotel Lexington
Lani McIntire Orc
Aggie Auld
Napua
Momi Kai
Maleo Shaw
Hotel Lincoln
Tony Pastor Orc
Lincolnairs
Hotel McAlpin
Isham Jones Orc
Shirley Lloyd
Hotel New Yorker
Woody Herman Orc
Muriel Lane
Ice Ballet
Erne Andersen
Adele Inge
Ronnie Roberts
Jerry Farley
Mark Plant
Bob & B Wade
Hotel Park Central (Cocoanut Grove)
Buddy Clarke Orc
Jack Waldron
Elenore Wood
Hibbert, Byrd Co
Winton & Diane
Bunny Howard
Ginger Dulo
Sylvia Barry
Hotel Pennsylvania
Jimmy Dorsey Orc
Helen O'Connell
Bob Eberle
Hotel Plaza
Dick Gasparre Orc
Chiquito Orc
Raye & Naldi
Jane Winton
Hotel Roosevelt
Guy Lombardo Orc
Hotel Savoy-Plaza
Bob Grant Orc
John Buckmaster
Hotel Shelton
Johnny Johnson Or
Hotel St. George (Brooklyn)
Dave Martin Orc
Dee Williams
Yank Porter
Hotel St. Moritz
Eddie Varzos Orc
Vivien Blaine

Dacita
Town & Knott
Conchita & Worth
Teresita & Serrano
La Martinique
Roy Fox Orc
Kay Kimber
Herbert Curb[illegible]
Danny Ka[illegible]
Enrica [illegible]
Eddi[illegible]
Jo[illegible]
[illegible] Or
[illegible]rc
[illegible]nch

Michal Michon
Mishi Uzdanoff
Arielak Arafelova
Sawdust Trail
Julie Gerity
Sunny Sharon
[illegible] Vallon
[illegible]y's Roof
[illegible] Bryant
[illegible] Mayehoff
[illegible]ork Club
[illegible] Kendis Orc
Versailles
[illegible]olas D'Amico O
[illegible]chito Orc
[illegible]a
[illegible] January
[illegible] Angelo & Porter
[illegible]n Scarne
Village Barn
[illegible]eter Kara Orc
[illegible]une Itontley
[illegible]ass Franklin
Pappy Below
Sons of Purple Saga
Laura Kellogg
Stuart & Lea
Zeb Carver Co
Whirling Top
3 Tops
Ginger Wayne

LOS ANGELES

Biltmore Bowl
Jimmy Castle
Dorothy Brandon
Maxellos
Hackers
Everett West
3 Dee's
Cheetar Dolphin
Chuck Foster Orc
Cafe La Maze
Adela Rowland
Jimmy O'Brien
Dyane Gayle
Victor Vincent Orc
Casa Manana
Ivy Anderson
Mitchell Sis
Herbie Jefferies
Duke Ellington Orc
Cocoanut Grove
Billy Rayes
Bud Hughes & Pals
Freddie Martin Orc
Earl Carroll
Jimmy Durante
Buster Shaver
Olive & George
6 Debonairs
Beryl Wallace
Mary Peterbeck
Helen O'Hara
Barbara O'Drew
Reyes' Rhumba Bd
St Clair & Day
Rhumba Orc
Slate Bros
Bill Brady
Manny Strand Orc
Florentine Garden
NTG 7th Edition
Fred Scott
Marion Wilkins
Sugar Geise
Rio Bros
Charlie Foy's
Charlie Foy
Leonard Suca
Bob Evans
George Beete
Landis Sis
Art Bernard Orc
Grace Hayes Lodge
Newell Chase
Harry & P Carroll
Mary Healy
Neville Fleeson
Margaret Whiting
Peter Lind Hayes O
Grace Hayes
Tony Romano
Rebecca Hayes
House of Murphy
Naomi Wheat
Beth Reynolds
Frankie Gallagher
Gordon Bishop
Katherine Dehaven
Bob Murphy
'It' Cafe
Dorothy Dandridge
Dave Forrester Orc

La Conga
Paul Neighbors Orc
Leon Frank
Pappy & Peanuts
Steltita
Phillip Lopez Orc
Macambo Cafe
Humbertos Bd
Phil Ohman's Orc
Palladium
Glenn Gray Orc
Paris Inn
Kenny Henryson
Dominic
Marg'rite & M'rtinez
Henry Monet
Helen Golden
Davey Jamison
Dorothy Heller
Helen Harrison
Maletts
Helen Miller
Chuck Henry Orc
Pirates Den
Pegleg Happeney
Susen Miller
Wally Boag
Lovey Lane
Henry Grant
Gaby La Fitta
Black Andy
Tom Garay
Nick Cochran Orc
Intimboogie
Peter Ray
3 Rockets
Lois Galloway
Dorothy Garbo
Cee Pee Johnson O
Scheherazade Cafe
Yascha Borowski
Zamira
Russian Gypsy Orc
Seven Seas
Lilia Kipikoha
Benny Kaha
Puanani Mathews
Charlie Openui
Jene Avelar
Bobby Mathews
Johnis Bright Orc
Somerset House
Harry Ringland
Elliott Carpenter
Lorraine Elliot
Lou Sailea Orc
Swanee
4 Dreamers
Eddie Beal
Topsy
The Topsyettes
Beverly & Revel
Paul Locke
Garwood Van Orc
Wilshire Bowl
Velascos
Phil Harris Orc

CHICAGO

Ambassador Hotel (Pump Room)
Larry Adler
Virginia Haye

Jerry Shelton Orc
Bismarck Hotel (Walnut Room)
Art Kassel Orc
Marion Holmes
Collette & Barry
Lew Hoffman
Hadley Gls
Blackhawk
Ted Flo Rito Orc
Earle Leslie
Grandfat'r's Follies
Blackstone Hotel (Balinese Rm.)
Jay Cole Orc
Brevoort Hotel (Crystal Room)
Max King
3 Niblics
Bob Billings
Brondmont
Karl Wayne
Marie Young
Shirley Lucky
Connie Oster
Pat Snyder
Dorie Clayton
Herb Rudolphs Orc
Chez Paree
Lou Breese Orc
Jana Frohman
Rufe Davis
Four Franks
Juvelys
Evans Gls
Club Alabam
Charlotte Van Daa
Marion Moore
Harriet Norris
Allen Coe
Bernie Adler
Betty Hill
Inez Gamibol
Effie Burton
Paullette La Pierre
Dave Unell Orc

Dorothy Dole
Eddie Roth Orc
Club Minuet
Helane Carol
Rita Ray
Alvira Morton
Ethel Brown
Fillmore Shermen
Art Fischers Orc
Del Estes
Colony Club
Secasas Orc
Monchito Orc
Colosimos
Eddie White
Llyon Warjo
Hazel Manjean Gls
Janice Davenport
Jack Prince
F Quartell Orc
Club Delisa
Billy Mitchell
Cyclone Morgan
Billie Eckstein
De Alexander
Chippie Hill
6 Jitterbugs
Rhythm Willie
Charles Isum
Partello Gls
Red Saunders Orc
Congress Hotel (Glass Hat Rm)
Johnny Bangs Orc
(Peacock Rm)
Joe Vern
Edgewater Beach Hotel (Beach Walk)
Richard Himber Orc
Dor Dorhen Gls
Herb Foote
Franke's Casino
Harriet Ehrlick
Rocky Ellsworth
Billie Webb
Ann Anderson
Dick Conrad
Bob Tinsley Orc
Gruemere Hotel (Glass House Rm)
Lew Story Orc

Marie Lawler
Nord Richardson
Hi Hat
Willie Shore
Jerry Bergen
Doris Robbins
Ginette Calls
Younger Gls
Eddie Fens Orc
Ivanhoe
Florence Schubert
Jerry Shelton Orc
4 Bards
Helen Sumner
L'Aiglon
Emil DeSalvi Orc
Dorothy Johnson
Areeta Siegel
Isobel de Marco
Hotel La Salle (Blue Front Room)
Kings Jesters
Ruth Milem
Liberty Inn
Keren Stephany
Marion Crawford
June La Vonna
Danilee
Jimmy O'Neil
Sunny Lovett
Earl Wiley Orc
Morrison Hotel (Boston Oyster House)
Manfred Gotthelf
New Yorker
Dolly Kay
Roy Sedley
Claire & Hudson
D'Arbour & Rena
Patsy Reed
Hausler Gls
Arne Barnett Orc
Al Milton Orc
Old Heidelberg
Irma Cooper
Sally Sharratt
Heidelberg Octette
Heidelberg Ens
Joly Franzl Orc
Franzel Orc
Palmer House (Empire Room)
Eddie Duchin Orc
Eddy Howard
Bob Evans
Maurice & Cordoba
Perez Four
Abbott Dancers
Phil Dooley Orc
Sherman Hotel (Celtic Cafe)
Gene Kerwin Orc
Joros Sis
(Panther Room)
Gene Krupa Orc
Bob Zurke
Irene Daye
Chuck & Chuckles
Callahan Sis
Byton Gls
Carl Marx
Silver Cloud
Ray Martell
Peggy Parker
Shirlie Sherr
Val Mar Bros
Lenore Chicagoana
Joe Gerken
Ralph Lynden Orc
Elinor Daniels
Hazel Zuius
606 Club
Billy Carr
Margret Faber Gls
Boots Burns
Irene Kaye
Jerri Vance
Jackson & Nedra
Betty Sheyne
Carrie Finnell
Barbara McDonald
Renee Andrie
Mexine De Shon
Virginia Jonea
Millie Wayne
Cecil Von Dell
Margo
Jo Ann Carroll
Sol Lake Orc
Tripoli 3
Todd's Theatre-Cafe
Gypsy Rosa Lee
W West & McGinty
Rola Rola
A Robins
Todd Gls
Jack Denny Orc

Agnes Barry
Sunny Rae
Jane & Anthony
Audrey Joyce
Lido Venice
Hal Cummings
Novelettes
Edith Brown
Lillian Fitzgerald
Cota & the Fiddle
Dan Varsee Orc
Little Rathskeller
Mills Bros
Rose Marie
Renee Villon
De Lloyd McKay
Vincent & Anita
Victor Hugo Orc
Manoa Inn
Jack Hitchinson
Estelle & Howard
Edythe Sallada
Grace Steel
4 Starlettes
Nancy Nowell
Joan Deegan
Diane Rachelle
Frank Cuneo Orc
Mayo's
Babe Roth
Lola
Cy White
Glorie Dale
Gus Johnson
Minstrell Tavern
4 Tanns
Ed McGoldrick, Jr
Ed McGoldrick, Sr
Park Casino
Miss Cummings
Eddie Shepherd
H Cummings Orc
Lynda
Open Door Cafe
Billy Bailey
Paul Kene
4 Starlettes
Allen Wood
Billy Hughes
Joyettes
Madeline Sheridan
Rita Roberti
4 Octaves
Palumbo's
Wade & Waite
Chic Mullery
Kathlean May
Tony Bradley
Cocktail Gls
Howard Reynolds O
Red Hill Inn (Pennsauken, N.J.)
Slappy Swingsters
Frank Ponti
3 Peppers
Lou Boyle
Vivi Austin
Niles & Joanne
Neff Bros & Fischer
Florence Morton
Marie Latell
Dolores
De Lamara
Little Von Osborne
69th St. Rathskeller
Massu Bobby Lee O
Estelle Cawthorn

Lillian Fitzgerald
Ray Romein
Paul Robinson
June Clayton
School House Inn
Buck Calhoun
Jean O'Neil
Kay Trotter
Kippi Volez Done
Lon Ferlano
Ruth Melle
3 Jeys Orc
Andy Russell
Silver Lake Inn
Drag & Diane
Colonel Reed
Alice Lucey
Frank Hessel Orc
Rendezvous (Hotel Senator)
4 Blues
2 Men and a Girl
Freddie & Mae
Lee Candell
Tony Lane Trio
Connie Howell
Stamp's
George Marchetti O
Hal Fisher
Ann Howard
Stamp's Trio
Helen Jerico
3 Blossoms
Chiquita
Dottie Winters
Helen Barrie
Swan Club
Berrie, Prince & O
Judy Manning
Ralph Brown
McNallie Sis
Margy Drummond
Betty Ann Shor
Morgan & Barl
Henry Patrick's Orc
Freddy Bernard
20th Century
3 Loose Nuts
Intimates (4)
Warwick Hotel
Ray Morton Orc
Weber's Hof Brau Camden
Julas Flacco Orc
Curran Bligh
6 Grays
Marylin Mayne
Jack Herbert & B
Signor Carmino
Pat Sullivan
Thea Silton
Dave Peterson
Syd Golden
Raths'r Eldoradians
Wilson's
3 Speeds
Lou Karnes
Betsy Bain
Yvonne Kerr
Sinclair & Leroy
Joe Hough
Geo Baquet Orc
Yacht Club
Scarey Gavin
Joan Olcott
Bonnie Stuert
Mary Navia

PHILADELPHIA

Club Ball
Alan Fielding Orc
Ball-lovelles
Rita Marquita
Val Irving
Gorardo
Rose Marie
Marcya & Cunsett
Alfonse Garcia
Juenita
Ben Franklin
Clyde Lucas Orc
Lyn Lucas
Jill Bard
Flying Top Hatters
Benny, the Bum's
Morty Laudis Orc
Billy Maples
Fats Atkinson
Anita Chandler
Terry James
Carroll's
Charlie Games Orc
14 Carrollovlies
La Vonne
Merril Sis
Eddie Innis
Miss Gordon
Jean Dean
Wilbur Rance
Jackie Mabely
Eedie Lang
Club 15
3 Musical Strings
Harr[illegible]
Bernice Foley
Dolores Lourell
Amy Organ
Barbara Stone
Cusano's
Lou Ferjano
Kay Trotter
Ford Mason
Geo Niesson
Ruth Melle
Deo Rogers
3 Jays
Ralph Sanner's Orc
Cadillac Tavern
Darlene Jones
Alan Sterling
Henrique & Ad'eane
Lou & Evelyn
Ruth Warren
Cadillac Coquettes
Harry Dobbs Orc
Embassy
Geo Clifford

Los Cucarachas
Mata Monteria
Benton Turns
Winnie Duncan
Dorothy Volkoff
Carlos Reyes Orc
Curt Weller Orc
Evergreen Casino
Alice St John
Nitza & Ravel
Tenny Newbold
Warren Phillips
Doris Elliott
Pat Shevlin Orc
Heleno Standish
Gay 90's Cafe
Cecil Williams
Little Van Osborne
May Joy
Ann Fisher
Nake & Sake
Chick Williams Orc
(H Walton Roof)
Vincent Rizzo Orc
Leona Starr
Miss Trixie
Maxine Loomis
Betty June Cooper
Felicia
Glamour Gls
Helen Heath
Bob Russell
Nino Nani
Vera Niva
Louis Morrison
Carlos Campos
Michael Sandina
Peppino & Carmen
Nell Fontaine Orc
Augusto Sanabia Or
Hotel Philadelphia (Philadelphia Rm)
Carlotta Dale
Fredrico & Dankin
Dick Wharton Orc
Jam Session
Mickey House
Micky Rogers
Joe Verechia
Billy Kretchmer
Teddy Walters
Hopkins'Rathskeller
Irving Braslow's Or
Joe Campo
Walson Sis
Hopkins Glomour G
Lillian Chaplin
Vera McGovern

CLEVELAND

Alpine Village
Curtiss Marionettes
Novek Sis
Bob Copfer
Carl Mueller
Otto Thurn Orc
El Dumpo
Bob Manners Orc
Bolde Briene
Fredericot Myran
Don Payne
Sammy Lipman
Autoinettes
Freddie's Cafe
Al Slone
Gale Parker
Carlos Vesta
3 Smart Gls
Gourmet Club
E Robinson Orc
Gayle Gaylord
Freddy Heikel
Hotel Allerton
Johnny Cowgill
Hotel Carter
Thixton Sprenger
Ambassadors Orc
Hotel Cleveland
Everett Hoagland O
Margaret English
Hotel Fenway Hall
Cabelleros Orc
Aurora Garcia

Hotel Sterling
Jimmy Van Osdell
Quinteros
Lester Chofetz
Hotel Hollenden
Gloria Grafton
Sloan & Gary
Sorolli
Sammy Watkins Or
Hotel Statler
Jose Morand Orc
Rosalean & Seville
Virginia Ramos
Jack & Eddie's
Rubertino, Roberta
Babe Sherman
Arlene Rice Orc
La Conga Club
Ramon Arles Orc
Lindsay's Bar
Rose Murphy
Una Mae Carlisle
Pearl DeLucca
Monaco's Cafe
Layton Bailey Orc
Jane Janie
Regal Club
Ducky Malvin Orc
Thirty-Seven Club
Pat Dennis
Rogers & Spruce
Diane Bostic
Sherry Lee

DETROIT

Book-Cadillac Hotel (Book Casino)
Jack Cole Danc
Nagel & Hilge
Imogena
Morris King
Eddie Le Baron Or
(Motor Bar)
Jay Coe
Bowery
Mills, King & Raye
Gale Sextette
Ming
Pat Paradise
Jitterbugs
Mildred Rock
Harvey Stone
Don Arden Danc
Johnny King
Chas Carlisle
Benny Resh Orc
Casanova
Faith, Hope & Z
Fredericos
Kenneth Milton
Modelon Baker
Glamor Gls
Lee Walter Orc
Corktown Tavern
Hal Bronsen
Ellen Kaye
6 Vesters
Eddie Bratton Orc
Cole & Corte
Neville & Day
Ann Lee
Don Andre Orc
Hand's
3 Old Timers
Joey Raye Trio
London Chop House
Tonia Valenti
Ruby Orc
Morocco
Carol Roth
6 Sparklettes
Mel Snyder
Will Henderson Orc
Nebinio's
Di Giovonni

Carmen
Carlos & Chita
Guy Gibby
Leonard Seel Orc
Northwood Inn
Duenos
Jerry Lawton
June Carmen
Diane & DeLya
Ray Carlin Orc
Olde Wayne Club
Charles Costello Orc
McColl Sis
Palm Beach
Bill Mahoney
Nickolas & Sylvia
Melanie
Monnie Drake
Don Pablo Orc
Huck's Redford Inn
Mac McGraw Orc
Club Royale
Jackie Gleason
Dorothy Blaine
Renee & Root
4 Comets
Wanger's Ladies
Michael Paige Orc
Saks Show Bar
Bryant, Rains & Y
Tanya Tamara
Jay Jason
Pearl Magley Gls
Cliff Winehill
Pete Viera Orc
Statler Hotel
Desi Arnaz
Fausto Curbelo Orc
Gloria Hart
Orlando
Grayce & Graham
San Diego
George Presnell
Al Alexander Orc
Dan Merryman
Don Francisco
Starr & Maxine
Verne's
Bert Nolan
Boyd Senter

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Night Club Reviews

Continued from page 44

Rhumboogie, H'wood

equal facility. Someone's going to 'discover' Cee Pee some day.

Rest of the performance is hopping fast. The Rockets, a trio of male hoofers, get over the floor in white tails with difficult steps and in faultless precision. Dorothy Garbo is a writhing dancer slightly on the strip side. Peter Ray tosses his tootsies around with lightning flourish and finales with a fast tap while balancing a tray of dishes on his conk. Lois Galloway vocals none too forte. Bandmen go for a change of apparel when the rhumba session takes hold. Their music is not too blary and danceable. Best tribute to their tootling is that the film gang is out on the floor most of the time.

Estab seats around 450, with a balcony, and was three-quarters filled on this catching. The queues form outside on Saturday nights. Joe Stevens produces the floor show and puts the eight shapely ponies through new routines every fortnight. Three shows are given nightly. Spot will prosper as long as Cee Pee is around. *Helm.*

YACHT CLUB, PITT.

Pittsburgh, Feb. 15.

Jack Walton Orch (8), Jackie Heller, Patricia, Cesar, Rosita and Pancho, Shirley Heller, Manhattanettes (6).

Under new management and at a new location, Yacht Club is once more swinging back into line as a bigtime nitery operation after stumbling around for several months. Spot got off with a bang under ownership of Sol Heller and Nick Andolina more than year ago, fell away with approach of fall but seems to be on the right track again with the Hellers as sole owners. Sol is the manager, Jackie Heller part-proprietor and contributing his talent in addition to an ability to bring in the celebrities, which always attracts cash customers. Half-pint singer will shuttle between here and Chicago, where he has a new radio show coming up next month, spending four or five days weekly at the Yacht Club.

Of course, he's the big attraction in the floor show, m.c.ing smartly and giving out with songs. Diminutive warbler is better than he's ever been, his pipes improving with age, and if he gets away with less than a dozen numbers at the Yacht Club, it's a bad night for him. According to the palm-pounding of the ringsiders, he could stay on ad infinitum, but he wisely knows when to quit so that the waiters and the bar can get a break.

Remainder of entertainment is good enough without being spectacular, which is all right since Heller's presence would be enough to salvage considerably lesser lights. Miss Patricia is an s.a. looker with sufficient working knowledge of magic to get by nicely, and threesome of Cesar, Rosita and Pancho (two men and a girl) go over big with the maracas and the rhumba. The gal shakes while the boys play and three of them keep up a rapid-fire session of tangology that's in the groove. Manhattanettes are six girls who have looks but routines could stand some dressing-up, and it's a mistake for them to follow Cesar, Rosita and Pancho with a conga. Number should precede the trio instead of vice-versa.

Jack Walton's band hits it on the nose for both dansapation and show, with vocals by another Heller, Shirley, an attractive package who's getting better. She likewise does a stint on the floor for one of the Manhattanette routines. Walton will be replaced next week by Herman Middleman, who was at Yacht Club for 10 months prior to differences with Sol Heller's former partner. Miss Heller will stick with Middleman for songs. *Cohen.*

Minnesota Terrace, Mpls.

(HOTEL NICOLLET)

Minneapolis, Feb. 22.

Billy Baer Orch. (12), Allan Carney, Thelma Marland, Lathrop Bros. and Lee (3), Rica Martine, Jay Collins, Roy Bast; week-day minimum, $1; Saturdays, $1.50.

This is the first of a number of hotel and supper club units planned by Art Weems of Chicago. It represents somewhat of a departure for this class nitery, where the principal emphasis ordinarily is placed on music for the dancing guests, with the floor entertainment, assembled piecemeal by the hotel itself, given secondary consideration. Instead of the usual name or semi-name band, there's an unknown musical aggregation and a slight curtailment of the time for customers' footpedaling to permit the lengthier floor show.

Although minus names in the floor show, and it's safe to say few hereabouts ever have heard of the Billy Baer band, hailing out of Milwaukee, the attraction had 'em packed to the rafters for the midnight performance on the opening Friday of the four-week engagement. Among those in the audience giving the layout the onceover was Earl Carroll, in town with his 'Vanities,' playing the Orpheum.

Fast-moving, smoothly routined lively show evoked an enthusiastic audience response. Alan Carney does a workmanlike emcee job and also contributes some amusing impressions of various types of inebriates.

Opening the layout, Thelma Marland also is its outstanding performer. Her hot swing singing gets the proceedings off to a bang-up start and, perhaps, she is better spotted thusly than had she been closing. She puts tremendous energy into such numbers as 'Old Man Mose,' 'Hawaiian War Chant,' 'Dixieland Band' and 'Scrub Me, Mama.' The infectiousness of her enthusiasm sweeps the room.

The two Lathrop Brothers and Miss Lee, precision steppers, came into this show directly from a local Orpheum engagement. They are nifty appearing steppers who execute their routines with the utmost smoothness, winning a deservedly big hand.

For a novelty the band blows a 'Silly Symphony' through the hecks of empty soda-pop bottles and it clicks. Jay Collins, balladist from the band, lands with 'There I Go,' and Roy Bast, another of the musician-warblers, hits the bullseye, too, with 'Ida,' 'Sweet Sue' and 'There'll Be Some Changes.'

Rica Martine is a vivacious and colorful Latin singer and rhumba dancer, reminiscent of Carmen Miranda. She provides a particularly snappy interlude.

The Baer band, leaning to brasses, comprises youthful musicians who handle their swing skilfully. Arrangements are effective, if not especially outstanding, and the customer terpers apparently found the musical accompaniments to their liking. It also plays the show like a veteran band. *Rees.*

Beachcomber, Boston

Boston, Feb. 19.

Jay Dorn and Stefnie Yosey, Jorge Escudero, Eton Sisters (2), Linegirls (6), Don Ostro Orch (6), Nye Mayhew Orch; Minimum, $1 and $1.50.

When Monte Proser introduced the South Seas atmosphere to the Hub nitery picture last year, the wise guys were impressed, but guessed it wouldn't last long. Fact is, the Beachcomber is still doing a heavy dinner biz and the ropes go up many a night shortly after 9:30. As to originality in decoration, the Proser spot, managed by Tom Maren, is tops in this town, and the New Englanders like the novelty of it. They like the ease with which a patron couple can slip in and out of the non-dressy atmosphere. What they didn't go for was the 'exotic' foods, and so this season the club is plugging American dinners. Also important is the front staff, which knows how to seat customers with a reassuring air of hospitality.

The current show is an unnamed unit assembled by Midge Fielding who also directs choreography for the line and produces. According to big-time standards, it's no wow because the budget's low, but Miss Fielding has made every dollar count. Entire show is built around South American or Hawaiian theme, but there is no m.c. to tip off the Bostonians as to what the dances and songs mean in English. While the show is distinctive and altogether pleasing, it would seem that a few explanatory remarks would add interest. This is particularly so in the case of Jorge Escudero, said to be w.k. in Brazil and Argentina for his extensive repertoire of unpublished native and Indian songs. Twice he sings, with dancing embellishments by the linegirls to help interpret the lyrics; and the standout offering is 'Huapango,' a rhumba. It would be worth a try to have an English-speaking m.c. give Escudero the proper buildup. While his voice and guitar are an asset, he's somewhat lost as a star.

Dorn and Yosey, ballroom dancers, are relatively new to the nitery field, but evidence that they are on the way up is the fact that they were booked in for a single week at the Beachcomber, after two weeks in another local club, and have been held over six. Couple have a good ballet background and this element sparks much of their work. Their opening number, themed to 'Blue Danube' is musically murdered by the Ostro band, clearly incapable of handling fancy arrangements.

Eton Sisters hold attention with their seemingly authentic Hawaiian dance early in the show and later in a 'Beguine' number that has its moments.

Linegirls, some of them previously strictly showgirls, have been whipped into creditable form by Miss Fielding who presents them in colorful costumes, simple dance steps and emphasizes posturings and arm and leg positions in appropriate South Sea mood.

Relief band here is Nye Mayhew, and this outfit would do better as the show's orch. because the Ostro crew turns out a danceable rhumba rather than socko swing. *Fox.*

GARRICK HAS ST. LOO ALL TO ITSELF NOW

St. Louis, Feb. 25.

With the Grand and Garrick, both burlesk houses, operating in the red during the current season, a merger has been affected, the Grand shuttering and the Garrick, on the Izzy Hirst wheel, having the entire local field to itself. The Grand, operated by the Wolverine Amusement Co., was opened last September by Harold Minsky, N. Y., and Arthur Clamage, Detroit, and the Garrick by Dick Zeisler, N.Y.

One of the clauses in the contract calls for the Grand to play Hirst shows in the event it reopens. It is reported that the management of the New York hotel which owns the Grand gave Wolverine Amus. three weeks free rent as an inducement for it to keep operating. This house used a house line with traveling principals. The Garrick presents road companies intact.

Since the merger the Garrick has discontinued two-for-one show every Friday night. Under that policy the larger part of the show readying for departure and the new new show were combined for one performance. It proved a swell hypo for the b.o. one night a week.

Ella Fitzgerald was brought back for return engagement of one week at Brunswick Hotel's Bermuda Terrace at Boston and Manager Paul Bromley kept band for four weeks because of exceptional business. Now, Bromley wants band back as soon as possible.

House Reviews

Continued from page 47

FLATBUSH, B'KLYN

ence: 'they're doing a helluva business.'

Stooges work hard, keeping up a drumfire of running gags, including imitations of Vallee, George Givot, Mae West, a Ubangi girl and Sally Rand. Billy Morosco goes over nicely with a rollerskating specialty. Louise Shannon, red-headed tapper, solos to good returns. Howard and Talley, mixed comedy team, though using familiar material where the fidgety little girl with squeaky voice is always on the verge, nonetheless garnered hefty applause. Team also demonstrates ability to sell a song. Band is used mainly for pointing up gags and vocals but also dishes it out straight.

Biz Friday night (21) near-capacity, with boxes also nearly sold out. *Mori.*

CHICAGO, CHI

Chicago, Feb. 23.

Matty Malneck Orch (9), Jane Froman, George Bernard and Royalettes (9), Dean Murphy; 'Western Union' (20th).

With an extra-long picture, the stage show is kept down to minimum running time but up to maximum in class, distinction and entertainment. Only four acts but each is typical of a standard associated in the public mind with the Chicago stage. There appears to be, in fact, a general movement towards sharp curtailment of running time on stage shows, even beyond the cuts of the past few years which have had performers squawking about being rushed off the stage.

From two niteries in town come the two headliners: Matty Malneck's orchestra from the Pump Room of the Ambassador hotel and Jane Froman from the Chez Paree. Malneck's own eight-piece group is thrown in with the regular house orchestra to add up to 23 men, but on their own the Malneck men do some really modern instrumentalizing which fit in excellently with the show and house. Their specialties include such stuff as 'William Tell Overture,' the 'Anvil Chorus' from 'Il Trovatore.' This audience would have had 'em stay on all night.

Miss Froman is class personified, being outstanding in appearance and delivery. Pipes glow and style warms over the footlights. This audience wanted more of her.

M.c. Dean Murphy turns in a capable job before settling down to his already standard impersonation act. That FDR stint is among the best in its line. Murphy's appearance is much in his favor and his handling of an audience indicates real showmanship.

George Bernard and his Royalettes are six women and three men who come up with a series of various dance styles and routines, most of it ballroom stuff of waltzes, fox-trot, etc. Act looks well, is wardrobed neatly and fills up the stage with a sufficient number of people to make a respectable flash.

Business good at the last show Saturday (22). *Gold.*

Bills Next Week

Continued from page 48

Barbara Bardo
May Nolan
Harry Collet Orc

Whittier Hotel

(Gold Cup Room)
Tony Patti

Wonder Bar
Sammy Dibert Orc

PITTSBURGH

Anchorage
Hugh Morton Orc
Maynard Deane

Arlington Lodge
Phil Cavezza Orc

Bachelors' Club
Al Turner Orc

Balconades
Joe Villella Orc

Bill Green's
Clyde Knight Orc
Janet Lee
Herb Rosher

Boogie-Woogie Club
Boog Sherman
Izzy Nutz
Buddy Walsh
Nutsy Fagan
Harry Comorado
Packy M'Farland
Tiny Miller
Bernie Crawford

Club Petite
Piccolo Pete Orc
Betty Smiley
Lou Starr
Lorraine Cater
Audrey Kennedy

Cork and Bottle
Jack Davis

Eddie Peyton's
Bill Campbell Orc
Caroline Moore
Mabel Harrold
Marion Muller
Eddie Peyton

El Chico
Ciro Rimac Orc
Estrellita Pena
Alziro Camargo
Chinita Marin
Charley Boy

Hotel Fort Pitt
Ken Bailey Orc
Johnny Mitchell
Jessica Wheatley
Harry Walton
Irma Guthrell

Hotel Henry (Silver Grill)
Billy Treacher Orc
Sandy Davidson
Marian McGarrity

(Gay 90's)
Dorothy Nesbitt

Hotel 7th Avenue
Bess Saunders
Ida Iola
Everett Haydn
Betty Donahoe
Al Devin

Evergreen Gardens
Red Clarke Orc
Ebbie Schaub
Paula Harvey

Hotel Elks
Olga Mundy Orc
Dale St. Clair
Zelda

Hotel Roosevelt
Ted Blake
Men About Town

Hotel Schenley
Billy Hinds Orc
Patty Dixon
Buzz Mayer

Hotel Wm. Penn (Chatterbox)
Baron Elliott Orc
Billy Cover
Gloria Jolley

(Continental Bar)
Frank Andrini 4

Merry-Go-Round
Eddie Camden Orc
Betty Gale
Johnny Wilkes
Kamden Kids

New Penn
Ralph Allen Orc
Joe Morrocco
Sally Lang
Glen Martin
Leiso Sis
Duval & Laurence
New Yorker Gls

Nixon Cafe
Al Marisco Orc
Bob Carter
Dwights
Russ Le Beau
Ch'lotte Lamberton
Kretlow Danc

Nut House
Dale Harkness
Pat Dennis
Pat McGowan
Joe Klein
Chuck Wilson

Oasis
Louie Pope Orc
Margie Kraber

Orchard
Jimmy Gamble Orc
Jay Loring
Chuck Miller

Pines
Buzz Aston Orc
Tony Rozance
Ray Englert

Yacht Club
H Middleman Orc
Cesar, Rosita & P
Jackie Heller
Patricia
Manhattanettes
Shirley Heller

Sky-Vue
Mickey Ross Orc
Sky Pilots

Union Grill
Art Yagello
Frank Natale
Mike Sandretto

Villa Madrid
Etzi Covato Orc
Mark Lane
Wally Vernon
Ann Boland
Laska Sis
Gloria Miller
Gregorys
3 Jerks

Blinstrub's
Karl Rohde Orc
Boyd Heathen
Prince & P Sel'dria
Del Ohrel

Casa Manana
Lou Carter Orc
Lee Steele
David Ballentine
Mrs. Schlepperman
Bill's Canary Circus
Jackie & Lorraine

Club Mayfair
Ranny Weeks Orc
Bernie Bennett O
Cookie Faye
Harriett Hoctor
Jay & Lou Seller
Beth Challis
George Libby Rev

Club Vanity Fair
Kal Nira Orc
Stella Ray
Laura Lee
Frances George
Whitney Sis

Cocoanut Grove
Mickey Alpert Orc
Don Rico Orc
George Rand Rev
Billy Paine
Nancy Gay
Rodrigo & Francine
Verne Wilcox
Billingtons

(Melody Lounge)
Rita Coughlin
Newell & Steger

Crawford House
Ray Collins Orc
Sally Keith
Vanderbilts
Ken Brilliant
Frank Fontaine
Bryce Santry

Fox & Hounds
Milton George Orc

Hi-Hat
Pete Herman Orc
Kay Doyle

Hotel Bradford (Circus Room)
Burt Mann
Marcia Neil
Elwin Shaw

Hotel Brunswick (Bermuda Terrace)
Louis Prima Orc

Hotel Copley Plaza (Sheraton Room)
Stuart Frazier Orc

(Oval Room)
Lamb-Yocum

Ice Parade
Gladys Lamb
Rube Yokum
Buddy Lewis
Betty Wharton
Murray Twins
Walter Ridge
Adele Henny

Hotel Essex
Ernest Murray Orc
Billy Kelly
Jack Manning
Al Lewis
Victor Donato

Adele Corey
Rita Henderson
Raymond Pike
Eleanor Kelley

Hotel Lafayette
Noblemen
Jerry Salisbury

Hotel Somerset (Balinese Room)
Harry Marshard O
Johnny Turnbull
Lenny Welsh

Hotel Statler (Terrace Room)
Vaughn Monroe Orc
Marilyn Duke
Ziggy Talent
Joe Carney
Bobby Nichols

Hotel Westminster (Blue Room)
Jimmy McHale Orc
Trop'l Serenaders O
Adrian O'Brien
Harry Drake Rev
Joan Leeds
Marion & H Lynne
Jackie Fields

Ken
Frances Claire Orc
Russ Howard

Latin Quarter
Tony Bruno Orc
Don Dudley Orc
Harry Spear
Margie Greene
Radio Aces
Paul & Elizabeth
Latin Ballet
Radio Herb Lewis

Steuben's (Vienna Room)
Lew Conrad Orc
Doris Abbott
Joan & Mona
Fredrika Beaubien
Minco
Emerald Sis
Alice O'Leary

The Cave
Mark Gilbert Orc
Jack Fisher
Tamara Doriva
Doris Abbott
Carlos & Doria
Nora & Jimmy Bell
Joan & Mona
Fredrika Beaubien

Tic Toc
Ernie Bell Orc
Ben Ford Rev
Tiny Sinclair
Beef Trust Chorus
Don Beaton
Danny Goodman

Tremont Plaza
Ben Pullo Orc

Versailles
Bobby Hacket Orc
Fritzi Scheff
Leighton Sis
Willie Solar
Emma Francis
Harold Kennedy
5 Juggling Jewels
10 Floradora Maids
Johnny Andrews

MIAMI

Beachcomber
Xavier Cugat Orc
Miguelito Valdez
Carlyle Blackwell
Chavez Orc
Tropical Danc

Carrousel
Valero Sis Orc
Belle Baker
Romo Vincent

Club Bali
Tommy Nunez Orc
Peggy Fears
Olivette & Murray
Alfredo Seville
Bali-ettes (12)

Club Esquire
Worthy Hills Orc
Cross & Dunn
Terry Lawlor
Estelle & LeRoy
Howard Brooks
Esquirettes (8)

Colonial Inn
Paul Whiteman Orc
Armando Orc
Harry Richman
Sophie Tucker
Joe E Lewis
Chandra-Kaly Danc
Marianne
Ann Sutherland

Cuban Casino
Adrian Rollini 3
Eva Ortega
Nan Blakstone
Tropic Beauties

Don Lanning's
Doris Sherrill
Roberta Sherwood
Jimmie Hodges
Gene Austin

El Chico
Ralph Cook
Marilyn Foster
Gloria Lucane
Lytell Danc

Five O'Clock Club
Pancho Orc

Hotel Dempsey-Vanderbilt (Pago Pago Room)
Bobby Parks Orc
Vincent Bragale Or
Helen Morgan

Hollywood Beach (Bamboo Room)
Eddie Oliver Orc

Hotel Miami Biltmore (Giralda Room)
M Bergere Orc
Columbus & Carroll
Elaine Miller
Beverly Kirk

Hotel Roney-Plaza (Viennese Room)
Emery Deutsch Orc

Jaye Martin
Georges & Jalna
Josephine Houston

Hotel Shelborne (Mayan Room)
Chet Brownagle Orc
K Miller Danc

Hotel Versailles (Gulf Room)
Chas Murray Orc

Jeff's
Jerry Delmar Orc
Dwight Fiske
Gomez & Minor
Yvonne Bouvier
Merle Burke
Midgie Fellows
Ann Howard
James Howard
Foran Sis

Jimmie's
Budd Sawyer's Orc
Myles Bell
Golden Gate 3
Beatrice Gardner
Montrose & Pearl
Kee & Tuck

Kitty Davis
Johnny Silver Orc
Billy Vine
Conga Danc

Latin Quarter
Joe Candullo Orc
Emil Boreo
Grisha & Brona
Henri Therrien
Frank Mazzone
Clarissa
Sally Rand
Helen Carroll
Pierce & Harris

Mayfair Club
Benny Davis
Marie Austin

Nut Club
Tubby Rives
Lew Mercur

Paddock Club
Leon Prima Orc
Rogers & Morris
Jackie Hilliard
Aunt Jemima
Manhattanettes

Rhumba Casino
Alex Batkin Orc
Fantasias Rhumb's
Sammy Walsh
Rosita Rios

Royal Palm Club
Abe Lyman
Milton Berle
Royal Guards
Rose Blaine
Martha Raye
Betty Bruce
Whitsons

Slapsy Maxie's
Babe Russin Orc
Maxie Rosenbloom
Joe Frisco
Cully Richards
Patty Moore

BOSTON

Beach Comber
Nye Mayhew Orc
Don Ostro Orc
Eden Twins
Copacabana Gls
George Escudero
Dorn & Yosaez
Midge Fielding Rev

Don't Look, Dinty

Continued from page 2

throat. Learn to think on your feet, man. Don't wait for me to do all the suggesting!

However, I am not complaining. When you draw your pay from the cashier Saturday night please draw an additional $1,000 as a bonus from me in recognition of your earnest work. This note will be all you need; just show it to the cashier.'

While the letter was on the way, one from Maney to Sullivan crossed it. The reference to the loot is a check tendered by the N. Y. Times. Publication pays $25 for byline stories in the amusement section, whether the writer needs the coin or not. Sullivan's recent yarn in the Times complained he hadn't received any from the show. Maney wrote:

'My counsel—and he is not Morris Ernst—advises me that as your unacknowledged agent I would be well within my rights did I muscle a fraction of the enclosed loot from you. I shrink from such a sordid procedure because I feel that amity, good will, even an entente cordiale, should prevail among the reckless group banded together to guide the MM. Lindsay and Crouse through the trials and pitfalls consequent to their latest folly, 'Arsenic and Old Lace.'

'Do not misconstrue my policy of laissez faire. I shall, nay do, expect an occasional token of your desire to co-operate.

'Will you sketch in some 600 words some of the current evils in the theatre you think should be corrected, always bearing in mind that what we trying to sell is 'Arsenic and Old Lace,' not motormen's mittens or second editions of Zane Grey. If one of the current evils is, in your biased opinion, the aforementioned Lindsay and Crouse, then let them have it with both barrels.

'Once I have received your broadside I shall rifle it down to the World-Telegram where it may momentarily stay the hand of Roy Howard, just now up to his waist in appeasement.'

Inside Stuff—Legit

Alexander Woollcott, who appeared in Baltimore recently in 'The Man Who Came to Dinner,' replied by letter to the Baltimore Sun last week to the woman who wrote an indignant protest to the paper about the 'shocking' Kaufman-Hart comedy. Author-critic-star was sarcastically amused at the woman and several others who, he said, had written him at the theatre. Reply by Woollcott said in part:

'Reading them brings back across the years two memories. One is the occasion when a palpitant debutante gushed up to that great actress, Emily Stevens, and said, 'Oh, Miss Stevens! Do you think the stage can do any harm to a pure young girl?' 'No,' replied Miss Stevens thoughtfully, 'but I shudder to think what a pure young girl could do to the stage.' Also there comes to mind a moment at the theatre when the greatest of them all—the late Justice Holmes—slapped his aging thigh and said, 'Thank God I've got vulgar tastes.'

'Well, goodbye. On Monday I'm off to Hershey in a cloud of lust.'

Understood that Woollcott, who opened a two-week date Monday (24) at National, Washington, will stop at the White House. He is known to be on cordial terms with the President and Mr. Roosevelt, and on previous visits to the capital was a guest at the executive mansion. During the campaign last fall, Woollcott stumped for the President.

Westbrook Pegler exhibited what he called a change of pace last week when his column in the World-Telegram, N. Y., went to town in admiration of a fellow staff member, Sidney Whipple, who is the daily's drama critic. Pegler stated that Whipple is a vanishing breed nowadays 'who can do just about anything anybody can ask of him around the editorial side of a newspaper or press association. . . .' Pegler and Whipple worked on the United Press together. Latter was a city editor in Syracuse and has been a managing editor in South Bend, Ind., and Denver.

Recently, Pegler devoted his column to the matter of attending the theatre, declaring best way was to go alone instead of taking the wife. Dwelling on the distaff side, he wrote, in part, '. . . you have to ease her through the crowd and down to the seats, and lay back her coat for her, and then her program slips off her lap and you have to fish around in the dark, and all the time during the show you have a sense of responsibility and care, which is just what you go to the theatre to get away from. Then, at intermission, if she doesn't smoke, well, you do, and if you go out and leave her you are something rhyming with 'house' . . .'

After being filed away for years in Paramount's script department, 'There's Always Juliet' turns up in film form under the title of 'One Night in Lisbon.' Play by John Van Druten was presented at the Empire, N. Y., in 1932 after it played London. Gilbert Miller produced, then heading Par's legit department which was later abandoned.

One-set, four-character comedy which did fairly well had Edna Best and Herbert Marshall as the leads. London locale has been written out of the scenario and Portugal substituted, with war background, to bring the story up to date.

For the record, George M. Cohan points out that the first time he starred on his own was in 1904 in 'Little Johnny Jones,' which he wrote and produced. During the three preceding seasons, the Four Cohans starred in 'The Governor's Son' and 'Running For Office.'

It had been printed that Feb. 12 was the 40th anniversary of Cohan's initial appearance as a star.

Grace Moore spent last week at Saranac Lake, where her husband, Valentin Parera, has been under treatment for some time, his condition being serious. He was formerly a Spanish picture player, but after their marriage became her business manager.

Warbling star returned for her final appearance in 'Love of Three Kings' at the Metropolitan Monday (24).

James Carroll is again in uniform with the rank of major and is presently quartered in Washington. He has trained down and tips the beam at 175 pounds. He was associated with his brother, Earl, at the latter's theatre-restaurant in Hollywood until recently.

'BELINDA,' IN BLACK, RESCINDING PAY CUTS

Some shows on Broadway have salary cut arrangements, with stipulations that when the gross passes certain marks the pay is restored partially or wholly. 'Johnny Belinda,' Longacre, has been on a cut basis for some time, but it is claimed that full salaries have been paid recently. When takings top $7,000 the slice of one-third does not apply. Last week show was credited with topping $9,000, best gross since opening.

'Belinda' went well into the red, mostly through extra advertising, but for the past two months is claimed to have earned an operating profit weekly.

New Players Theatre Opens Rib on Boston

Boston, Feb. 25.

The Players Theatre group made its debut in the Peabody Playhouse here Friday night (21) with their revue called 'Baa, Baa, Back Bay.' Advance publicity promised a big hotfoot to all Boston institutions and traditions, and the house was packed. Judging from reception, a good percentage of the pew warmers were pals of the players.

In a self-conscious collegiate manner the revue ribs a rich assortment of people and places, but good taste: politicians, the street railway, Harvard, Groton, John Roosevelt, Koussevitsky and Ann Corio among others.

Novelties include a co-credit on a lyric for Percy Bysshe Shelley, and a special backdrop for a 30-second dumb skit which has two Indians walking twice across the stage. Music was written by Carlton Bates and Bobby Goldman.

BALLET RUSSE WILL TOUR SOUTH AMERICA

Original Ballet Russe, currently winding up a brief tour of eastern U. S., leaves next week for engagements in Mexico City and Havana before embarking on a season-long and first South American trek. Troupe is due back in New York late next August and will open its regular fall engagement here in mid-October.

Closing Saturday (1) night at the Academy of Music, Philadelphia, the company entrains for Mexico City, where it plays through March 6-14 at the Palacio Belles Artes. Opens in Havana, March 20 at the Auditorium theatre, remaining through March 25. Then sails for Peru, where it opens April 3.

The other S. Hurok troupe, the Ballet Russe de Monte Carlo, toured South America last summer. That was the first time a Russian ballet had visited the southern continent since Nijinsky headed a tour there in 1917.

Dramatists Ratify New Basic Agreement

New minimum basic agreement covering production of Broadway plays was ratified yesterday (Tuesday) by the Dramatists' Guild council. It had previously been negotiated with the League of N. Y. Theatres, whose members are expected to sign.

Pact, which goes into effect Saturday (1), is for five years. Only changes from the previous agreement are that authors of all plays, American or foreign, must be members of or join the Guild, and the period during which producer shares in the subsidiary rights to plays is extended from three to five years.

Play on Broadway

THE TALLEY METHOD

Comedy drama in three acts presented at Henry Miller's, N. Y., Feb. 24, '41, by the Playwrights Co.; written by S. N. Behrman; Ina Claire and Philip Merivale starred; Ernst Deutsch featured; setting by Jo Mielziner; $3.30 top.

Avis Talley	Claire Niesen
Philip Talley	Dean Harens
Cy Blodgett	Hiram Sherman
Enid Fuller	Ina Claire
Mary	Ida Kane
Manfred Geist	Ernst Deutsch
Dr. Axton Talley	Philip Merivale

The Playwrights had a lot of trouble with their latest presentation and perhaps it was fated from the start. Despite the effort involved, chances of popularity are limited, even with Ina Claire and Philip Merivale.

Play was known for a time as 'The Mechanical Heart,' which was certainly less suitable than the present handle. It was brought back for script, and some cast changes after the first tryout, but somehow it failed to jell. Herman Shumlin did the direction originally and then Elmer Rice took over, with the result that neither is mentioned on the program as staging.

S. N. Behrman is known for brilliance in dialog, though most of his plays have serious slants. Same goes for 'The Talley Method,' but the impression is that the story, what there is of it, is muddled. Comedy content is under normal for Behrman.

Widower Dr. Axton Talley is a noted surgeon whose method on a difficult affliction has saved many patients. He falls in love with Enid Fuller, a poetess, whom he had successfully operated upon. He tries to prepare the way to introduce her into the household, but hardly gets to first base with his son, Philip, and adopted daughter, Avis.

The lad gave up studying medicine and is frittering away his time with a fan dancer. Daughter is a radical, caustic and petulant. Curiously Enid understands them better than Axton. Not so believable is her affection for the bitter maiden, currently in love with Manfred Geist, a German refugee writer with a grown daughter, and disdaining Cy Blodgett, a clownish student.

Showdown comes in the third act. Geist professes love for Enid, which infuriates Avis. Realizing he is responsible for part of the situation in the Talley home, he suicides. Avis then leaves. Enid comes to the decision that she cannot marry the doctor because they are mentally not attuned. Only satisfaction for Dr. Talley is that Philip returns to medical school and thereby continues the line of physicians in the family.

Miss Claire and Merivale are splendid players and try to lend to their respective parts more than is written in them. Early in the play she expresses joy in meeting a man she could really love after a number of emotional wanderings. She also says, 'We live in a time when the truest voices are struck down by the loudest.' Somehow those sentiments do not jibe with her later ideas. Merivale's Talley seems the much more normal character.

Hiram Sherman is amusing at times as Cy, having the play's lighter lines. Ernst Deutsch gives Geist some authority, though it isn't an attractive part. Claire Niesen is the dour Avis and less appealing, while Dean Harrens plays Philip, both being among the younger players who recently landed on Broadway.

Ibee.

Play Out of Town

NIGHT MUST FALL

(ROAD REVIVAL)

Buffalo, Feb. 20.

Drama by Emlyn Williams; presented by Frank McCoy, Feb. 20-22, at Erlanger, Buffalo; directed by Guy Douglass; features Florence Reed, Douglass Montgomery and Violet Heming; others in case, Arthur Gould-Porter, Phillipa Bevans, Bernice Vert, Ethel [illegible]ition, J. W. Austin; $2.75 top.

This revival of Emlyn Williams' melodramatic British museum piece is definitely rigged for the provincial trade. Buffalo date of this revival, which is its first U. S. showing following several weeks of Canadian bookings, poses the question as to the explanation for its present American refurbishing. Aside from providing an actors' holiday for the trio of featured players, this study of a homicidal maniac in its present form has little new to recommend it, except perhaps as an exhibit of earlier Williamsania, chiefly of interest to his 'Corn Is Green' enthusiasts. On that score, it might attract some attention from the cognoscenti, but on its showing here there seems little likelihood of a metropolitan stand, especially in view of the fact that the original, even with the author himself, proved unable to weather more than a few weeks of Broadway buffeting.

Such hinterland attention as it may receive will probably come from interest in comparisons with the controversial Robert Montgomery-Rosalind Russell-Dam May Whitty film version, with which this production inevitably invites parallels. Present dramatization has been revamped in several respects, none of them adding greatly to the effectiveness of the original theme and treatment.

Production is mediocre and the direction, attributed to Guy Douglass, is distinctly dated, much of the business being corny and overboard in its loutish implications. Device of visible loud speakers blaring atmospheric musical theme for curtain raisers and blackout climaxes is hokey meller, and goes back to the days of the kerosene circuits.

Performance is a hoopla field day for Florence Reed, Violet Heming and Douglass Montgomery. The lead is a compelling delineation for femme audiences and holds a hypnotic fascination for male players, as was evidenced by Bob Montgomery's painstaking and impressive click in the film. Douglass Montgomery's Danny portrayal is an interesting, though loose, characterization of the murderous psychotic, its effectiveness being somewhat dispersed by swirl of knees and elbows and its rather squirmy playing. Miss Heming, not too happily cast as the love interest, makes the most of the part of the inhibited heroine. Here again this version invites comparison with Miss Russell's film Olivia and comes off second best.

Miss Reed as Mrs. Bramson is a surprise, mostly because she follows no precedent in her portrayal. Hers is a sterling performance of an elderly hypochondriac all the way, and the acting honors of the performance go to her. The high quality of the acting turned in by these three seasoned troupers, aided by the compulsion of the psycho-killer theme, makes up for the other obvious shortcomings of the presentation and should be sufficient to assure it of at least moderate success.

Frank McCoy, credited as producer, also is acting as company manager.

Burton.

Ballet Review

BALLET THEATRE

Ballet Theatre, presented by Ballet Presentations, Inc. Conductor, Max Goberman. At Majestic, N. Y., Feb. 11, '41; $3.30 top ($4.40 opening).

Principals: Nana Gollner, Anne Wilson; Miriam Golden, Nina Stroganova, Agnes de Mille, Lucia Chase, Annabelle Lyon, Nora Kaye, Karen Conrad, Anton Dolin, David Nillo, Edward Caton, Eugene Loring, Jerome Robbins, Hugh Laing, Antony Tudor, Leon Danielian, Katharine Sergava.

Ensemble: Alicia Alonzo, Muriel Bentley, Jean Davidson, Tania Dokoudovska, Nelly Gilmore, Mimi Gomber, Maria Karnilova, Dorothy Lyssaght, Marjorie Moore, Dorothy Mortrude, Olga Suarez, Rozsika Szabova, Kirsten Valbor, Virginia Wilcox, Anna Wiman, Billie Wynn, Betty Yeager, Fernando Alonzo; Hubert Bland, Fred Danieli, Charles Dickson, Dwight Godwin, Ray Harrison, John Kriza, Richard Reed; Newcomb Rice, ; Dimitri Romanoff, Donald Sadiller, Robert Wolff.

If there can be such a thing as an all-American ballet, this Ballet Theatre would appear to be it. Many of the group are either foreign-born or foreign-trained, but at least the organization has its inspiration in the U. S., and, what's more important, its work has the flavor and feeling of this country. Whether or not the American public will support a ballet of native appeal is another matter.

It may be that the cash-paying ballet audiences prefer the somewhat synthetic (if potent) glamor of the two Russian troupes—the Ballet Russe de Monte Carlo and the Original Ballet Russe. Undoubtedly, the latter two outfits draw bigger grosses at present. But if the Ballet Theatre can continue its buildup and is shrewdly handled it should acquire a sizable following of its own, not only in New York, but ultimately throughout the country.

Ballet Theatre is well named. It is more than mere ballet. Its productions, particularly the newer ones, have an originality and a theatrical quality distinct from the pure tinsel make-believe appeal of traditional ballet. It may be a sense of the commercial. Anyway, it's there and it frequently provides a diverting show, occasionally even an exciting one.

Number of new ballets are being offered during the current engagement which started at the Majestic to a profitably-filled and colorful house. Some of the presentations are definitely smash entertainment. Among the latter are 'Gala Performance,' a low-comedy piece about how three premiere ballerinas (Russian, French and Italian) upstage each other when they appear in the same ballet. Conceived by Antony Tudor, with music by Serge Prokofiev, and with atmospherically helpful decor by Nicolas de Molas, it provides a succession of laughs.

Another click addition to the repertoire is a new version of 'Three Virgins and a Devil,' a satirical gem with choreography by Agnes de Mille, scenario by Ramon Reed, setting by Arne Lundborg and costumes by Motley. 'Billy the Kid,' a melodramatic story ballet about the notorious frontier killer, is a vivid spectacle of steadily rising interest. It has choreography by Eugene Loring, music by Aaron Copland and scenery and costumes by Jared French. It was previously done by the Ballet Caravan. Another new one is 'Capricioso,' an atmosphere ballet, with choreography by Anton Dolin, music by Cimarosa and stunning decor and costumes by de Molas.

'Pas de Quatre,' which provided a still-recalled display of temperaments when Queen Victoria had four internationally-known ballerinas give a command ballet performance in 1845, and had apparently been unperformed since then, is revived with a choreography by Dolin. Almost the sole point of interest in the piece is its sly satire of Victorian manners.

Male dancers of the Ballet Theatre, led by Dolin and Loring, are expert and more personable than anyone in the two Russian troupes. And although the femme Ballet Theatre members lack the theatrical aura and assured grace of such ballerinas as Danilova, Riabouchinska and Baronova, several of them combine genuine talent with nifty appearance. Among the most captivating are Nina Stroganova, Karen Conrad, Nana Gollner, Annabelle Lyon and Alicia Alonso.

Hobe.

SUNDAY LEGIT PASSES TEST

Sunday (23) was a test of whether visitors to New York will patronize legit shows. Town was filled with incomers to the metropolis for Washington' Birthday, with goodly percentage evidently remaining until the Sabbath evening.

Theatres packed 'em in Friday and Saturday, while the Sunday performances were well peopled by visitors. This indicates that Sundays will be supported by summer vacationists, if such performances are given after the end of May, which terminates the present arrangement between the managers and Equity.

The highest number of performances on Sunday since the experiment started were given. There were nine matinees and 15 night shows for a total of 23. Included were two legits which went on in benefit for the Actors Fund and Stage Relief, neither playing Sundays regularly. Biggest draws in the afternoon were 'It Happens on Ice,' Center, and 'Hellzapoppin',' Winter Garden.

JOS. COYNE, AMERICAN COMIC, DIES IN ENGLAND

Passing of Joseph Coyne at the age of 74 in England last week (20) was duly recorded over here, but the American comedian who became an expatriate was little known to the present generation.

Coyne was an all around light comedian and dialectician. He started as a vaudevillian and then developed into a musical comedy name. His first appearance was in an afterpiece at the London theatre, on the Bowery in N. Y. He teamed with Hap Ward before the latter joined with Harry Vokes. Coyne was also of the Four Diamonds (Evans, Coyne, Buckley and Ward) after appearing in blackface act (Evans and Coyne).

Leaving the variety stage, Coyne appeared in Charles Hoyt farces, going to London in one of them. Show which established him over there, however, was 'The Merry Widow,' which played Daly's, Leicester Square in 1907-08 and during its run his dressing room with an improvised bar was a mecca for visiting Americans.

Prior to that he had returned to Broadway and scored 'The Girl From Kay's,' which starred Sam Bernard and Hattie Williams. Coyne's bit, that of skating around the stage with scrubbing brushes strapped to his shoes, was a comedy click. Once thereafter he came back appearing with Alexandria Carlyle in 'The Mollusk,' at the old Garrick. Thereafter his trips here were on business, seeing shows and contacting cronies, generally meeting them at the one time cafe at 42nd and Broadway known as the Metropole.

His American appearances included Rich and Harris shows, 'The Girl in The Barracks' (also at the Garrick), 'The Night of The Fourth' and 'The District Attorney.' One of his early London appearances was under the management of Charles Frohman in 'The Girl From Up There,' with Edna May, at the Duke of Yorke's. Last reported appearance over there was in 'Apron Strings,' in 1931.

He never married. There was a life-long friendship between Coyne and George M. Cohan and when the latter went abroad they were inseparable, Cohan generally sailing for the express purpose of seeing his pal of other times.

SUBURBANITES ON B'WAY

Earlier curtains for the Sunday evening legitimate and musical productions on Broadway probably would better suit playgoers than adherence to the conventional 8:45 openings. A standard eight o'clock starting time unquestionably would appeal to a wider audience in the commuting radii. The struggle to catch the comparatively few after-theatre trains to suburbs was given up years ago by residents of outlying sections. They simply stopped attending evening performances of Broadway shows.

For many seasons the film houses had the Sunday evening crowds that swarm through the theatre section of New York in search of entertainment. This the first season that the controlling interests of the theatre have agreed upon a program of operating costs which makes it practical to give Sunday performances. The experiment has proved profitable generally. Fifteen shows, including five musicals, were open last Sunday night, and nine doubled with matinees.

Only one attraction ('Flight to the West') has experimented with the eight o'clock curtain; all the others are holding to the weekday schedules.

Granted that an earlier starting time on Sundays will require a campaign of customer education, the scheme has broad box-office potentialities. As a group, the male suburbanite is economically able to pay for higher priced entertainment, but he is reluctant to forfeit any time from his precious hours for sleeping. He is as likely to commit murder as willingly to miss the 7:52 a.m. train which takes him to his office in the city every morning.

A not insurmountable problem in connection with earlier Sunday evening curtain times is the readjustment of the players to a shorter period of rest between matinee and evening performances. By common assent the matinee curtains rise at 3 o'clock.

Enticing the metropolitan suburbanite to the theatre is a showmanship problem that should intrigue the ingenuity of every manager. The average commuter is a stranger to the theatre. He could be persuaded, however, if he were guaranteed to be home and in bed before midnight.

Big Wash. Birthday Influx May Presage Fine Spring-Summer Season on B'way

If the influx to New York the latter part of last week is an indication of spring and summer possibilities, the prediction that Broadway will have a prosperous summer will be accurate. Grosses soared from Thursday on. Friday and Saturday performances were jammed at many theatres and a record number of standees was claimed.

While Washington's birthday (22) is usually the peak of the legit season, observers say there was a record influx of out-of-towners. Holiday, having fallen on Saturday, did not provide an opportunity for extra matinees, but was a natural for visitors because of the weekend. That many remained in town on Sunday was indicated by the excellent theatre attendance that day. There will be a falling off of legit b.o. for the next three weeks, what with the approach of the federal income tax deadline, March 15, also the beginning of Lent today (Wed.).

Post-March Upswing

After March it is expected that business will start upward again, as money expended for defense should start filtering through to general business channels by then. There is an increasing interest in spring production by managers and the prospects are for more activity than indicated last month.

Number of better known production offices readying new plays is increasing. In the van now are Gilbert Miller, with a drama called 'R.A.F.'; Herman Shumlin, rehearsing a new Lillian Hellman play; Theatre Guild, with 'Hope for a Harvest'; Al Lewis (with Max Siegal), doing 'Open House' (was 'Bundles From Britain'); John Golden with 'Theatre,' as previously mentioned. These do not include quite a list of new shows slated during spring by lesser known managers.

It appears that several picture companies will figure in spring production. Film people may have become interested on the strength of 'Lady In The Dark' (Alvin), a smash in which Paramount owns a goodly share, also 'Mr. and Mrs. North' (Belasco), which is moderately successful. This show is wholly backed by Metro.

Closings

'Flight to the West' is in its final week at the Guild. 'Tanyard Street' suddenly stopped at the Little Saturday (22). No new shows are slated for arrival next week, but week of March 10 will see the premieres of 'The Doctor's Dilemma,' Shubert; 'Five Alarm Waltz,' Playhouse, and 'They Walk Alone,' Golden. This week has two openings: 'The Talley Method,' Miller, and 'Brooklyn Biarritz,' Royale.

MGRS. HYPO LEGIT BIZ VIA STUDE CUT-RATES

While efforts to bolster Broadway theatre attendance among suburbanites, through 'organizing 'the audiences,' have not been materially beneficial, the movement is being furthered by the managerial League of New York Theatres. It has obtained definite results in attracting students through the cooperation of the English Teachers Assn. Shows which have principally benefitted so far are 'Twelfth Night' (St. James) and 'Flight to the West' (Guild).

Up to this week around 4,000 tickets for the Shakespearean work have been sold to pupils, mostly in high schools. Teachers stated last week they could dispose of all the tickets they could be allotted for 'Flight.' Student admissions are at reduced rates, so that theatres with sizable balcony capacities are in line to get that class of patronage.

Teachers make recommendations to students and a few are taboo, while other shows are not available because of flourishing business. Both 'Night' and 'Flight' are in their final weeks.

'Fantasia' Preem Winds Up Cleve. Legit Early

Cleveland, Feb. 25.

Hanna is winding up its winter legit season on or about March 17, after which Walt Disney engineers will wire house for road-showed run of 'Fantasia,' opening in latter part of March.

Legit curtain-closer will be Chicago company of 'Man Who Came To Dinner,' with Clifton Webb, week of March 10. Although first half of Hanna's season was heavy and profitable in bookings, Dante's current 'Sim Sala Bim' is the only show it was able to corral for February, with Katharine Cornell in 'Doctor's Dilemma' following it week of March 3.

Bobby Clark May Go Into King's Revised Musical

Understood that deal is on the fire for Bobby Clark to go into revised edition of 'She Couldn't Say Yes,' which is being rewritten by Fred Thomson and Arthur Sheekman.

Dennis King plans to produce new version. New score is being written by John LaTouche and Vernon Duke. Only people of original cast to be retained are King and Charles Wallace.

HUB WONDERING ABOUT SHOW DEARTH

Boston legit houses face virtually a showless spring. Currently it has but one play, 'Life With Father.' Only other show definitely booked there is 'Cabin in The Sky,' March 10, with nothing else aiming that way until close to Easter. Boston doesn't understand why, but hints there may be a reason, while most of Broadway is not aware of the dearth of Hub bookings.

The road is prospering, what there is of it, so Boston is guessing whether it is being passed up on purpose. Up there they seem aware that Philadelphia, Washington and Baltimore are getting the tryouts and think that Boston should get its share, as was the case earlier in the season.

In New York it was stated that there is nothing undercover about the Boston situation, and that it is merely a booking lapse that sometimes occurs when there are a limited number of shows on the road. Interested people, however, are guessing whether producers are dodging the Shubert-Herrick headache in the Hub. Number of managers have complained that Herrick's, a ticket agency, has hogged the tickets and that the agency is controlled by the Shuberts. Latter deny this.

Shuberts operate most of Boston's legiters, exceptions being the Colonial (Erlanger's) and the Repertory, an independent house where 'Father' is berthed. During the show scarcity the Shubert staff there is mostly off the payroll.

'Ice to Tour for Three Wks., Then Returns To N.Y.; Joe Cook Leaving

'It Happens on Ice,' the rink revue at the Center, Radio City, will go on the road for three weeks, final showing of the present performance being March 8. Joe Cook, who is the top feature, will play out of town, then leaves the outfit. After midwestern appearances, 'Ice' will return to the Center April 3 with the addition or new specialty turns from the Sonja Henie 'Hollywood Ice Revue,' which recently ended its tour.

'Ice' drew its biggest gross since New Year's last week, when it got $36,000, topping Broadway. Show had been playing Sunday night right along, then recently Sabbath matinees were added. Matinee last Sunday (23) grossed $4,600, which doubled the afternoon takings of the initial matinee on that day the week previous.

First out-of-town date will be March 12 at the Chicago stadium, where 'Ice' will play 12 days. Spot is operated by Arthur M. Wirtz, who with Miss Henie produced the revue at the Center. Indianapolis arena, also operated by Wirtz and associates, will follow prior to the return to New York.

Divas, 'Hellz' and Passion Play Set at N. O. Aud

New Orleans, Feb. 25.

Municipal Auditorium here, which scored heavily recently with an appearance by Jeanette MacDonald, has been booked almost solidly into the spring. Manager Irwin F. Poche has set, among other things, Metropolitan Opera, four-day stand of 'Hellzapoppin' and Passion Play.

Miss MacDonald two weeks ago sang to a capacity house ... additional chairs and standees. Take was $5,500 for the date.

Equity May Take Stand Against Gratis Army Camp Shows; 'Hellz' An Issue

'Wonderful Time' Suit Must Be Tried March 4

Suit of Henry Rose, author, against Marc Connelly, Arthur Kober and Mitchell Grayson, charging the plagiarism of an unpublished play, called 'Silent Shears,' in the defendants' 'Having Wonderful Time,' must go to trial March 4, 1941. Federal Judge Henry Warren Goddard, Monday (24), denied a plea by the defendants for further delay of the trial.

Defense had submitted an affidavit by Arthur Kober, author of 'Having Wonderful Time,' which stated he had been called to California on Feb. 15 on a four-week guarantee for Samuel Goldwyn to do the screen play on 'Little Foxes,' and would be unavailable until April 1. Plaintiff charged that the trial had been delayed sufficiently already. Action seeks an injunction, accounting of profits and damages.

Equity Council Nixes Proposal to Remove Curb on Performers

Two proposals made at Equity's last quarterly meeting, placed in committees and then submitted to the council, have been rejected by the latter body. One idea was to delete a stipulation in the standard contracts that gives exclusive services of players to managers. The other was to permit juniors to vote and drops the requirement that they be members for two years, or appear for 50 weeks before attaining senior rating. It was a foregone conclusion that the latter proposal would be turned down.

There was quite some discussion over the exclusive service provision. One of the prevailing arguments that killed the proposal was that when players in shows take outside engagements it keeps others who may be unemployed out of jobs. Indicated that doubling is frowned upon by council, but it does not bar members from so doing.

Another argument against dropping the clause is that players who take outside jobs are liable to be unable to give their best stage performances. This, it is said, is particularly true when those with stage engagements do picture work throughout the day under klieg lights. Further pointed out players may secure permission from producers to take extraneous assignments, so it is not necessary to make the deletion. Actors also may provide for such possible opportunities by adding a rider to the contract at the time of being engaged.

Around Equity it is said that there have been few complaints from managers about the matter. Proposal arose when Carol Bruce, in 'Louisiana Purchase,' accepted night club and radio appearances without the consent of Buddy De Sylva and Irving Berlin, the producers. She was fined by Equity. Singer was given permission for some outside appearances, with stipulations.

'Lawyer' in Work For Chi Showing

Chicago, Feb. 25.

First Chicago production in years will be 'See My Lawyer,' George Abbott show of last season, which goes into rehearsal this week to open in the Selwyn on March 16. Set from the original New York cast are Mary Rolfe and Robin Raymond, with Carroll Ashburn, stage chief here with 'Life With Father,' on loan by Oscar Serlin to direct the show. Also from N. Y. for the show will be Jack Sheehan, who clicked in Chi in 'Three Men on a Horse,' and Nat Cantor.

Willie Shore, Chi nitery performer, will make his legit debut in the role played in the N. Y. company by Milton Berle. Robert Russell is producing.

Dick Skinner, co-producer of 'Charley's Aunt,' at the Cort, N. Y., to Pittsburgh to look over the Carnegie Tech drama school production of 'Dawn in Lyonesse,' with the idea of a possible Broadway presentation.

Equity is expected to take a stand and insist on pay to actors playing army camps, whether they agree to make gratis appearances or not. Matter came to a head when 'Hellzapoppin' was shown at Camp Dix, N. J., Monday (23) night.

Olsen and Johnson and the Shuberts okayed the trip to the camp, but it developed that admission was charged, proceeds to go to enlisted men's relief. Because it was a benefit, Alan Correll, of the Theatre Authority stepped in. At a meeting of the company after a performance Correll stated that, as there are no proper sanitary accommodations for women, it would be inadvisable to take the whole company to Dix and suggested that specialty turns in the revue would suffice. Olsen made a patriotic appeal to the company and all expressed a desire to play the camp. Pointed out that it might have been embarrassing if any voted no.

No Layoff

Equity officials frowned on the date, saying that as the show played four performances on Saturday and Sunday, the players should not have been deprived of the Monday layoff. First it was planned to send the players to Dix in army trucks, but Equity at least got a concession and busses were used. It was reported that another matter had nearly provoked a row. Seems that the trainees bought tickets at 55c., but those tickets were recalled because officers wanted to see "Hellz" and paid at the rate of $1.50 and $1.

Position of Equity is partly based on plans for entertainment in camps which have made no provision for stage shows. Advices from the Coast state that small theatres have been built in army camps there for the showing of pictures, but there are no stages. These 'houses' seat around 500 and at some camps five such buildings have been erected, instead of a large theatre.

The limited capacity means a higher cost of operation. Declared that the army is paying for the films and, if there is money for that purpose there should be expenditures for stage performances. It had been previously understood that no coin had been allotted for camp diversion.

Equity people believe that the camps could provide jobs for around 2,000 players who would tour in proposed legit and vaude units.

Units Starting

First of the entertainments sponsored by the Friends of the Soldiers of New York Committee to play army camps is currently in production under the direction of Bobby Sanford. It's a three-act unit titled, 'Train Blazing Revue' and opens a three-and-a-half-week tour March 3 at Fort McClellan, Anniston, Ala. From there the unit goes to Fort Benning, Columbus, Ga., then to Camp Stuart, near Savannah, plus a date at Fort Bragg, Fayetteville, N. C., before working north.

Freddie Lightner, Nelson and Hart and a line of six girls comprise the show. All the talent is being paid, plus being given first-class r.r. transportation to make the jumps.

Shows will charge an admission and deficits between the cost of the unit and the gross, which are expected, will be made up by the laymen's committee. Only one show a night will be given and some of the camp dates will run to a full week.

TEXAS FAIR DICKERING FOR SHUBERT OPERETTA

Dallas, Feb. 25.

It now appears certain that the Texas State Fair will present 10 weeks of summer operetta next July, August and September. A deal is in the works with J. J. Shubert.

The only possible hitch in signing of the contract is that the State Fair will not undertake the obligation unless the Wholesale Merchants Assn. and other groups underwrite a portion of the obligation.

New Brown U. Musical

Providence, R. I., Feb. 25.

'Run for Your Life' is the title of the annual musical revue to be presented by the undergraduate musical organization, the Brownbrokers, at Brown University and Pembroke College May 5-10.

Show is based on Life mag.

Holiday Weekend Hypoes B'way; 'Arsenic', $17,000; 'Corn', $20,500; 'Lady', 'Hattie', 32G, All Capacity

Estimates for Last Week

Key: C (Comedy), D (Drama), R (Revue), M (Musical), F (Farce), O (Operetta).

'Arsenic and Old Lace,' Fulton (6th week) (CD-938; $3.30). Influx of visitors for Washington's Birthday boosted grosses; this laugh show can't gross more than it is registering; they are standing up at all performances; $17,000.

'Boys and Girls Together,' Broadhurst (21st week) (R-1,150; $3.30). Got good share of weekend rush and gross went to over $16,500; ale reduced from $4.40 starting this week, which may better the attendance; whether gross will improve is questionable.

'Brooklyn Biarritz,' Royale (C-1,047; $3.30). Presented by Marie Louise Elkins and Clarence Taylor; written by Beatrice Alliot and Howard Robert Newman; opens Thursday (27).

'Cabin in the Sky,' Martin Beck (18th week) (M-1,214; $3.30). Last two weeks for colored musical; went to over $14,000 last week, in improvement; indefinite tour planned.

'Claudia,' Booth (2nd week) (CD-712; $3.30). Distinctly matinee draw, but night business also excellent and new comedy looks set for stay; started over $13,000 last week.

'Crazy With the Heat,' 44th St. (4th week) (R-1,325; $3.30). Best takings so far last week, when gross was quoted around $15,000; strong Saturday materially helped; earned operating profit.

'Flight to the West,' Guild (D-956; $3.30). Final and ninth week for show, which attracted attention but hardly enough attendance; around $6,000.

'George Washington Slept Here,' Lyceum (18th week) (C-1,004; $3.30). Somewhat improved last week, when the takings were around $9,000; still turning some profit weekly.

'Helizapoppin,' Winter Garden (127th week) (R-1,671; $3.30). Clean-up revue holding up to real money end and of long stayer not yet in sight; $26,000; may get more this week, what with two performances Sunday.

'It Happens on Ice,' Center (20th week) (R-3087; $2.75). Got biggest money in town last week; enormous business at weekend; $36,000; also played matinee and night Sunday to great biz; leaves temporarily next week.

'Johnny Belinda,' Longacre (23d week) (D-1,016; $3.30). Topped $9,000, which was best gross to date; benefitted from holiday influx and also Sundays.

'Lady in the Dark,' Alvin (5th week) (M-1,357; $4.40). No attraction in higher demand than this new play with music; just a matter of standees; gross more than $32,000.

'Life With Father,' Empire (67th week) (C-1,005; $3.30). New hits still have not affected pace of last season's standout laugh show, which topped $18,000 last week.

'Louisiana Purchase,' Imperial (30th week) (C-1,450; $4.40). Soon entering 10th month and copping plenty of sugar; rated over $27,000, which was an increase; ought to stay into summer.

'Man Who Came to Dinner,' Music Box (71st week) (C-1,013; $3.30). Perked up further; registered capacity Friday and Saturday, with the gross well over $12,500.

'Meet the People,' Mansfield (9th week) (R-1,000; $3.30). Claimed its best week since start; gross approached $12,000 level; has not fared too well as expected, but turning some operation profit.

'Mr. and Mrs. North,' Belasco (6th week) (C-1,000; $3.30). Also registered best mark since opening, with takings approximating $12,000; should play well into spring.

'My Sister Eileen,' Biltmore (9th week) (CD-991; $3.30). Going along to capacity plus, with gross upward of $16,500; Chicago company started rather well and should click there.

'Old Acquaintance,' Morosco (8th week) (C-939; $3.30). Got goodly share of visitor trade; business not exceptional but substantial at around $11,000.

'Out of the Frying Pan,' Windsor (2d week) (C-893; $3.30). Has not shown much of a draw so far, but some improvement last week; around $5,000; said to better even break.

'Pal Joey,' Barrymore (9th week) (M-1,104; $4.40). Set for run, with business at capacity right along at night; only slightly off at some matinees; over $22,000.

'Panama Hattie,' 46th St. (17th week) (M-1,347; $4.40). No letup in the standee draw of this musical smash, which continues to top $32,000 right along.

'Separate Rooms,' Plymouth (48th week) (C-1,107; $3.30). Went up quite a chunk and about the best gross except Christmas; quoted at $10,500; stays here, 'The Doctor's Dilemma' opening at the Shubert next week.

'Tanyard Street,' Little. Taken off last Saturday; played two weeks to discouraging attendance.

'The Corn Is Green,' National (13th week) (D-1,162; $3.30). More standees than usual for first dramatic hit this season sent takings to $20,500; no straight play getting as much.

'The Taley Method,' Miller (CD-940; $3.30). Presented by the Playwrights written by S. N. Behrman; opened Monday (24) after several postponements; fairly good press.

'Tobacco Road,' Forrest (375th week) (C-1,107; $1.10). Picture version did not dent the champ stayer, which drew standees late in week and approached $7,000; plenty okay at scale.

Revivals

'Twelfth Night,' St. James (13th week) (D-1,526; $4.40). Another week to go and then tours; went to $15,000; standees in Friday and Saturday; 'Native Son' next attraction.

'Charley's Aunt,' Cort (19th week) (C-1,064; $3.30). Went forward with the field last week; takings approached $10,000 level, which means another profitable gross for old laugh show.

Added

'Ballet Theatre,' Majestic. Looks like earlier ballets hurt this one's chances; disappointing business, but two performances Sunday may help.

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JACK DURANT
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GEORGE ABBOTT'S
"PAL JOEY"
Barrymore Theatre, New York

Shows in Rehearsal

Lillian Hellman drama—Herman Shumlin.

'Open House' ('Bundles from Britain')—Al Lewis, Siegal.

'Gabrielle'—Royland Leigh.

'Native Son'—Orson Welles, John Houseman.

'Your Loving Son'—Kennedy, Bloomingdale, Loewi.

'They Walk Alone'—Ben Boyar.

'Road's' 8th Wash. Repeat, 11 Shows, Terrific $19,700

Washington, Feb. 25.

'Tobacco Road' pulled out of the National theatre Sunday (midnight (23) with approximately $19,700 in the till for 11 performances at $1.65 top, and left even the most hard-bitten local showmen agog. Show, which has played seven engagements here before, was booked for its 'farewell' appearance.

By opening curtain, week was sold out almost solid. Three extra performances were tossed in via Friday matinee and two shows Sunday. They promptly sold out, too. Show, with John Barton, played eight performances here last year at same scale and only rolled up $12,000. Current figure is all the more amazing, when it is considered that two of the three extra shows were mats at $1.10 tops. Without the Sunday shows, which may be tacked on the current Balto week's gross, the take here was $16,000.

Current is 'The Man Who Came to Dinner' with Alexander Woollcott, booked in for two weeks and looks like close to a sellout, too.

CLAIRE-MERIVALE, 13G, HURT BY PHILLY CRIX

Philadelphia, Feb. 25.

Legit biz was good again last week, although one of the two entries which promised to do a whale of a trade suffered by adverse criticism and word-of-mouth.

'The Male Animal,' in its second and final week at the Locust, where it played on ATS subscription series, hit very good $18,500. 'The Mechanical Heart' ('Talley Method'), playing a suddenly-booked single week at the Forrest, met unfavorable notices and word-of-mouth. Ina Claire-Philip Merivale starrer got so so $13,000.

Estimates for Last Week

'Mechanical Heart' Forrest (one week only) (1,800; $3.42). Names of Ina Claire and Merivale potent, but adverse notices and word-of-mouth counteracted and week's gross was $13,000—not much for this top. Maurice Schwartz opening tonight (Tuesday) in 'Sender Blank' for two weeks.

'Male Animal' Locust (2d week) (1,500; $2.85). Good trade for this one on ATS subscription. Second week gave it $14,500. Ruth and Paul Draper here now for single week.

Name Concert Dates

(Feb. 26-March 5)

Nelson Eddy—Saenger theatre, Mobile (27); Mun. aud., New Orleans (1); Mun. aud., Jackson, Miss. (3); Aud., Chattanooga (5).

Jose Iturbi—With Cincinnati symphony, Music Hall, Cincinnati (28-1).

Lotte Lehmann—Williams College, Williamstown, Mass. (4).

Grace Moore—Mun. aud., Worcester, Mass. (3); H. S., Fitchburg, Mass. (5).

Sergei Rachmaninoff—With Philharmonic-Symphony, Carnegie Hall, N. Y. (27-28).

Albert Spalding—Palace theatre, Hamilton, Ont. (27); Columbia Univ., N. Y. (1); H. S., Nashua, N. H. (3); Chapin aud., South Hadley, Mass. (4).

'FATHER', ALONE IN HUB, GARNERS FINE $15,000

Boston, Feb. 25.

'Life With Father' is finishing up its sensational run of 22 weeks here, without any opposition. Demand for seats for the two final stanzas has been so strong that it's clearly indicated the play did not wear out its welcome and that a return engagement is in order within a year. 'Father' garnered approximately $15,000 for the 21st week.

Ruth and Paul Draper come in for a single week March 3, and 'Cabin in the Sky' is slated for two frames, starting March 10. Otherwise the advance slate is bare.

Dante 5½G in Columbus

Columbus, Feb. 25.

After being dark for six weeks, the Hartman theatre reopened last week with Dante and the 'Sim Sala Bim' troupe. First hocus pocus at house since 1929 found pickings slim, pulling estimated $5,700 in eight performances at $1.50 top.

'Doctor's Dilemma,' with Katharine Cornell, current (24-5-6), with 'Man Who Came to Dinner' (Alexander Woollcott) set for week of March 10.

'Eileen', $11,000, Looks OK in Chi; 'DuBarry', $22,000; 'Father' $16,300

Chicago, Feb. 25.

Current legit trade is nothing to complain about. New entry of last week, 'My Sister Eileen,' came up with a set of excellent notices and looks fair to stick for some time in the Harris.

Last night (Monday), the second of what is hoped to be an operetta season got underway in the Grand. Show is 'Student Prince' and follow a surprisingly good run of 'Blossom Time.'

Two more weeks for 'DuBarry Was a Lady,' which has been a money machine in the Erlanger. House will follow with 'Dante and Sim Sala Bim.' 'Life With Father,' now in its second year here, will stick until June 1.

Estimates for Last Week

'Blossom Time,' Grand (5th and final week) (1,200; $2.75). Went off Saturday (22) after fine five-week stay, with business holding to good $8,000 for final. 'Student Prince' replaced last night (Monday).

'DuBarry Was a Lady,' Erlanger (9th week) (1,300; $3.30). Has been doing remarkable business and only just beginning to slip. Two more weeks and then heads for road. Came up with fat $22,000 last week.

'Life With Father,' Blackstone (53d week). (1,200; $2.75). Week after week this troupes along steadily. Upon entering second year attendance jumped with gross quoted at $16,800.

'My Sister Eileen,' Harris (1st week) (1,000; $2.75). Good word-of-mouth on this one should make it a sticker despite opening week at $11,000.

'Pins and Needles,' Studebaker (10th week) (1,200; $1). Just beginning to show cracks and may go out in a month or so. Tapering only slightly, however, at $6,000.

'Hellz' Second Pitt Week Great $31,700

Pittsburgh, Feb. 25.

'Hellzapoppin' smashed through again last week at Nixon in second and final stanza of its local engagement, grabbing estimated $31,700 in nine performances. That was almost $3,000 better than show did on opener, differences representing extra matinee which management was forced to insert Friday (21).

Touring version of Olsen-Johnson hit could have stayed on here indefinitely, since there were thousands clamoring for the little ducats that weren't there. It's likely that 'Hellz' will be brought back for a return engagement before the end of the season if route can be rearranged.

At moment, Nixon is set for flock of shows, first time all-year house has been booked so far ahead. 'Male Animal' is current, then comes 'Night Must Fall,' 'Blossom Time,' return of 'Man Who Came to Dinner,' Helen Hayes-Maurice Evans' 'Twelfth Night,' and Ethel Waters in 'Cabin in the Sky.'

LUNTS' $30,000 IN S. F. BEST ON TOUR THUS FAR

San Francisco, Feb. 25.

All records on the Lunts' current tour were broken here last week with approximately $30,000 in the coffers for their final nine performances at the Curran in 'There Shall Be No Night.' Week before they did almost as much in eight shows. Only one to better the Lunts' take at the Curran was Helen Hayes in 'Victoria Regina,' who had $1 top in gallery, whereas same seats for 'Night' sold for 50 cents.

'Maid in the Ozarks' is holding up well at the Alcazar, where $5,500 was highly satisfactory for its fourth week at $1.65 top.

Current Road Shows

(Feb. 26-March 8)

Ballet Russe de Monte Carlo—Mun. aud., New Orleans (27-28); Leon H. S., Tallahassee, Fla. (1); City aud., Orlando, Fla. (3); Olympia, Miami (5); Aud., Daytona Beach, Fla. (6); Mun. aud., August, Ga. (7); Aycock aud., Greensboro, N. C. (8).

'Blossom Time' (Everett Marshall)—Davidson, Milwaukee (26-1); Cox, Cincinnati (3-8).

'Doctor's Dilemma' (Katharine Cornell, Raymond Massey)—Cox, Cincinnati (26-1); Hanna, Cleveland (3-8).

'DuBarry Was a Lady' (Bert Lahr)—Grand, Chicago (26-8).

'Five Alarm Waltz'—McCarter, Princeton (1); Maryland, Baltimore (3-8).

'Hellzapoppin'—Ryan aud., Nashville, Tenn. (26); Erlanger, Atlanta (27-1); Lanier aud., Montgomery, Ala. (3); Temple, Birmingham (4-5); Aud., Memphis (6-8).

'Life With Father' (Lillian Gish)—Blackstone, Chicago (26-8).

'Life With Father' (Dorothy Gish)—Repertory, Boston (26-1); Walnut, Phila. (3-8).

'Little Foxes' (Tallulah Bankhead)—Carolina, Columbia, S. C. (26); Carolina, Charleston, S. C. (27); Mun. aud., Savannah (28); Miller, Augusta, Ga. (1); Winthrop college, Rock Hill, S. C. (3); Carolina, Charlotte, N. C. (4); State, Raleigh, N. C. (5); Carolina, Durham, N. C. (6); Carolina, Winston-Salem, N. C. (7); Acad. Music, Roanoke, Va. (8).

Littlefield Ballet—Page aud., Durham, N. C. (27); Women's college, Greensboro, N. C. (28-1); Aud., Charleston, W. Va. (3).

'Male Animal'—Nixon, Pittsburgh (26-1); Virginia, Wheeling, W. Va. (3); Park, Younstown, O. (4); Colonial, Akron, O. (5); Weller, Zanesville, O. (6); Aud., Louisville (7-8).

'Man Who Came to Dinner' (Clifton Webb)—Arcadia, Wichita, Kans. (26); Mun. aud., Kansas City, Mo. (27-1); H. S. aud., Omaha (3); Shrine aud., Des Moines (4); Iowa, Cedar Rapids (5); Orpheum, Davenport (6); Parkway, Madison, Wis. (7-8).

'Man Who Came to Dinner' (Alexander Woollcott)—National, Washington (26-8).

'My Sister Eileen'—Harris, Chicago (26-8).

'Night Must Fall' (Florence Reed, Douglass Montgomery)—Cass, Detroit (26-1); Nixon, Pittsburgh (3-8).

Original Ballet Russe—Lyric, Baltimore (26-27); Acad. Music, Phila. (28-1); Palacio Belles Artes, Mexico City (6-8).

'Pins and Needles'—Studebaker, Chicago (26-8).

'Pygmalion' (Ruth Chatterton)—Curran, San Francisco (26-8).

Ruth and Paul Draper—Locust, Philadelphia (26-1); Plymouth, Boston (3-8).

San Carlo Opera—Liberty aud., El Paso, Texas (26); Philharmonic aud., Los Angeles (28-8).

'Sim Sala Bim' (Dante)—Hanna, Cleveland (26-1); Royal Alexandra, Toronto (3-8).

'Student Prince'—Grand, Chicago (26-8).

'There Shall Be No Night' (Alfred Lunt, Lynn Fontanne)—Biltmore, Los Angeles (26-8).

'They Walk Alone' (Elsa Lanchester)—Shubert, New Haven (6-8).

'Time of Your Life' (Eddie Dowling)—Mun. aud., Springfield, Mass. (26); Bushnell aud., Hartford (27); Shubert, New Haven (28-1); Playhouse, Providence (3-4); Erie, Schenectady, N. Y. (5); Empire, Syracuse (6); Masonic aud., Rochester, N. Y. (7-8).

'Tobacco Road' (John Barton)—Ford's, Baltimore (26-1); Lyric, Richmond, Va. (3-5); Colonial, Norfolk, Va. (6-8).

Yiddish Public Theatre (Maurice Schwart)—Forrest, Phila. (26-8).

CORNELL-MASSEY BIG $27,300 IN DET. PREEM

Detroit, Feb. 25.

Always a heavy draw here, when she prepped in the Bonstelle company and has premiered many of her plays, Katharine Cornell played to capacity on the opening week of G. B. Shaw's 'The Doctor's Dilemma.' The fact that critics were enthusiastic for the cast, including Raymond Massey, but less enthusiastic for the brittle Shaw piece failed to chill Detroit's partiality for the stars. Gross was approximately $27,300 for the week at $3.30 top.

The play moved out to play a split-week between Columbus and Cincinnati and a week in Cleveland before a New York opening.

'Road' Trying Sundays In Balto; 'Life,' $14,800

Baltimore, Feb. 25.

Sixth visit of 'Tobacco Road' is on tap at Ford's here this week, with 10 shows planned for seven-day stop at $1.67 top. It will be first legiter attempting Sunday matinee and night performance since the repeal of the blue laws here some six years ago.

Last week 'Time of Your Life,' in on basis of two extra solid sessions of 'The Man Who Came to Dinner,' felt some letup at the b.o., drawing a fairish figure estimated at $14,800 at $2.76 top.

Broadway

Harry Kaufman on annual visit to Hot Springs.

Majorie Gateson in town, probably going into a play.

Bill Brandt remaining in Florida for balance of the season.

Earl Carroll was in from Hollywood, planing back last Saturday.

Tom Connors of Metro on a fishing trip off the Florida coast.

Bill Scully, U's distribution head, expected back from Miami next week.

Irving Berlin Palm Beaching it with his ex-brother-in-law, E. Ray Goetz.

Guy Kibbee personaling at first-run showings of 'Scattergood Baines' in the east.

Stanton Griffis cut his Florida stay short, returning to town middle of last week.

Boyd Crawford, legit and radio actor, confabbing a deal to go to the Coast for screen tests.

Gilbert Miller went to Florida, but due back Friday (28) to ready 'R.A.F.,' a new play.

Lucille Watson arrived in N. Y. from the Coast to start rehearsals in Herman Shumlin's new legit.

The Richard Davises (he's drama critic of the Milwaukee Journal) in town to look over the shows.

Walter Gould, United Artists foreign chief, vacationing until next week with his family in Florida.

Vincent Sardi, Jr., dislocated couple of vertebrae, but continuing helping his father at their restaurant.

Montague Gowthorpe, comptroller of Par theatres, got back Friday (21) from a tour of the south and southwest.

Ed Peskay, Hal Roach's eastern rep, to the Coast Friday (21) to confab on campaign for 'Topper Returns.'

More than 100 turned out at the Polish restaurant here in tribute to J. C. Nugent, vet actor-author, on Monday (24).

Ted O'Shea has just covered the exchanges in the newly-created central division of which he was made head recently.

New York's tracks will have 175 days of racing this year, starting April 12 at Jamaica, where the meeting will be 25 days.

Bob O'Donnell, who has an interest in Jimmy Webb, fighter, was up for the ring battle Friday (21) in which Webb scored a knockout.

John Latham Toohey (son of John Peter), special press rep on 'Life With Father,' will marry Virginia Coan, a non-pro, in April.

Marvin Froman of National Screen is one of the town's ace rhumba dancers, his favored partner being Gloria Shaff, also of National.

Returning from Florida in his car and parking it a few minutes on the way home, Al Wilkie was robbed of his trunk and other valuables.

Lawrence Stessin of the American Arbitration Assn. was in Boston over the weekend checking in with the local film tribunal there, also visiting.

Charles L. O'Reilly, formerly head of the N. Y. Theatre Owners Chamber of Commerce, to Florida for a rest, accompanied by his wife.

A. L. Burks, with Metro in the Charlotte territory, fleew in Saturday (22) to celebrate his son's 21st birthday, returning south the next night.

American Concert Ass'n will enter the legit production field, announces Reed Lawton, prez, with two plays with music during the 1941-42 season.

Ramon Novarro has nixed cafe offers from Monte Proser for his Beachcomber, Miami, and from Irving Zussman for his La Conga, in N. Y.

Irvin Marks, ex-Paris agent, into business for himself here, having called off a possible hookup with the New York office of Myron Selznick & Co.

Collier Young, recently-named Coast story editor of RKO, arrived in N. Y. Saturday (22) for a 10-day get-acquainted session at the home office.

Jack Cohn to Florida this week; Leonard H. Goldenson, Par theatre exec, just returned from Miami, and Charlie Casey, indie exhib, already there.

Douglas Churchill, N. Y. Times Hollywood correspondent, back to the Coast Friday (21) after trip to New Orleans, Nassau, Florida and New York.

Duke Wellington, art head for Publix Theatres for many years and previously with National Screen Accessories, has returned to the latter in its art department.

Harry Tugander, assistant director of newsreels at the Fair, appointed bureau photographer for Universal News in New England territory. Hq. in Boston.

Dick Gilbert, who sings pop tunes six times weekly over WNEW at 5 p.m., will lecture at Queens (N.Y.) College on March 7 on 'The Cultural Aspects of Modern Music.'

Par h.o. has had more absentees during past month due to illness than for any similar period in many years. Head of the medical department, Dr. Emanuel Stern, is himself laid up.

Max Liebman and Sylvia Fine (Mrs. Danny Kaye) who co-authors all of the comedian's material at La Martinique, etc., have a new Broadway musical set for fall production.

James Boyle, who joined Terry Turner's road show exploitation staff at RKO early this year, now is working out of Buffalo. He formerly handled dailies at the h.o. publicity dept.

Bob Weltmans, celebrating a wedding anniversary Saturday (22), combined it with a first-night-out for daughter Libby, who was nine on Thursday (20) and saw her first floor show at a hotel.

Tony and Renee DeMarco go into the Hotel Plaza's Persian Room as soon as Ed Wynn folds 'Boys and Girls Together.' Road tour won't happen until next season, leaving the dancers free.

'Thinking on Your Feet,' by theatrical attorney Louis Nizer, has been accepted as standard reading at the White House by President Roosevelt and his staff, according to word received in N.Y. by Nizer.

The Radio City Music Hall midnight gala benefit last Friday, for British war relief, boffed the niteries because of 6,000 spenders being kept indoors until the wee hours.

Lou Mindling was issuing the invites to the 'surprise' farewell party being tendered him Monday (24) night at the Hotel Gotham. Ex-MCA agent is returning to freelance pressagentry.

Cleveland

By Glenn C. Pullen

Draft took half of cast in Stake Club's production of 'Trial by Mary Dugan.'

Harlem raising $250 to buy Seeing Eye dog for Lula Mae Brown, 17-year-old blind pianist.

Talbot Harding, ex-free lance p.a., now stationed at Fort Sheridan, Ill., checking army recruits.

Betty Johns' new drama, 'Three Came to Maidenly,' may get April try-one at Play House.

George Young, Roxy burley backer, recovered from illness but ordered to Miami by medico.

Artur Rodzinski dropping Cleveland Symph Orchestra baton for rest at his farm in Stockbridge, Mass.

Fred Wilson, WTAM production manager, had left arm badly burnt when gas heater in home exploded.

Muriel Brown of Indianapolis here for preem of her 'Leighton, Ltd.,' by Richard Kay's civic stock company.

Shelter Shows

Continued from page 2

and D. Knox Crighton to organize several concert units. Each unit carries its own piano, miniature stage setting and lighting equipment. Every concert party visits two shelters per night, charging the customers 5c. for the show.

Show caught was very amateurish, having a preponderance of magic.

Opener, Joe Shellard, pianist for the unit, has fairly pleasing personality, with program crediting him for the numbers in the show. It seems hard to blame it all on one man. Shellard is a cop in private life.

Howard, first to start the legerdemain, ball rolling, goes through a string of elementary tricks coupled with very poor showmanship. D. Knox Crighton, who claims to have worked for C. B. Cochran when the English impresario was staging his periodical leg shows at the Trocadero restaurant, is a compere emulating the style of Oliver Wakefield, but lacking his finesse. He proves boring. He does conjuring. Best of the 'regulars' was prodigiously Hazel Hughes, whose burlesque of an Edwardian actress is worthy of an intime West End revue.

Entire show is saved from boredom by the inclusion of two visiting stars. Ike Hatch, American, for many years member of the vaudeville team of Hatch and Carpenter, and now a frequenter of local radio programs, has fine pipes and good salesmanship.

Richard Goolden, a regular ether feature as 'Mr. Penny,' is in intimate comedy touches, which clicks.

While idea has great possibilities, but is in dire need of good talent.

Fields' Schnoz

Continued from page 1

have to go back to juggling, which was pretty good in the old Ziegfeld days but wouldn't go very far in Hollywood.'

The Federal idea is that Fields shorted the Government when he paid only $84,855 on his income in 1927. Uncle Sam says it should have been $101,141 on his total earnings of $231,303. Fields contends that his expenses for publicity and advertising, including flowers for the lady critics, steaks for the gents and the upkeep of his nose, which requires a running combination of orange juice and rum, keeps him practically broke. As for film writers, another item in the Fields expense account, Bill said he paid them $1,000 a week, forgot their names and wrote his own stuff.

The case was taken under advisement by a member of U. S. Board of Tax Appraisers.

South Africa

By H. Hanson

'The Great Dictator' had first South African screening at 20th Century theatre, Johannesburg.

African Consolidated Theatres, 20th-Fox and United Artists going in big for newspaper advertising.

Queen's theatre, Ladysmith (Natal), a new cinema addition. It's showing 20th-Fox and UA pix.

'Escape' (M-G) pulled capacity at Pinza, Cape Town. Norma Shearer and Robert Taylor are popular favorites here.

Coming M-G releases in South Africa: 'Sporting Blood,' 'Dr. Kildare Goes Home,' 'Busman's Honeymoon,' 'Bitter Sweet.'

'Rebecca' (UA) proved a strong attraction for the Odeon, Sea Point, Cape Town, pulling capacity for two and a half weeks.

Something out of the usual carries attraction for South African cinema fans, and midnight previews of pictures are the latest craze.

'Sixty Glorious Years' (RKO) a big click at Colosseum (African Theatres), Cape Town. Anna Neagle's acting drew big praise.

'Sporting Parade' (U) at Colosseum, Cape Town, drew biz due to Deanna Durbin's popularity. Pic is not considered strong enough for the young star.

Sybil Jason returned to South Africa. To sit in with her arrival the Odeon, Sea Point, Cape Town, screened 'Little Princess,' starring Shirley Temple, and in which Sybil has a part.

C. A. Cathro out as manager of the Odeon, 20th-Fox's new cinema at Sea Point, Cape Town suburb. New manager is Dudley Cassell. Dudley toured South Africa years ago with Afrique for African Theatres, act then being billed as Dudley and Alec (Afrique).

St. Louis

By Sam X. Hurst

Cliff Johnson, one of the operators of the Lyric, downtown, celebrating birth of a son.

Nathan Milstein, Russian pianist, will be guest artist with the St. Louis symph Feb. 28 and March 1.

Leonard Reid, producer of shows at Club Plantation, midtown nitery, back from Chicago hospital.

Jacques Silvers, 26, maestro of a local dance band, and John Aisar Kury, 23, nitery m.c., drafted.

Members of the Variety Club have raised enough coin to purchase two ambulances for the Britains.

Ben Reingold, manager of the local 20th-Fox exchange, has earmarked $10,000 for facelifting of the building.

'The Male Animal' will play one week at the American theatre starting March 10, relighting the house dark since last fall.

Second annual Southwest Sportsmen's Show drew total of 121,000 customers in nine-day stand in Municipal Auditorium.

Johnny Perkins, part owner of the Playdium, East St. Louis recreation spot, back at his stint after a 12-day sojourn with medicos in a local hospital.

Harry Crawford, manager of Fanchon & Marco's downtown Ambassador, has addressed 150 various organizations since January, 1940. He spiels on his experiences in legit.

Don Lohbeck, concert pianist, and Virginia Schreck, vocalist, eloped last week. Honeymoon cut short to enable the bridegroom to play at the Club Caprice, Coronado hotel nitery.

Paul Robeson, in his first personal here, drew $4,400 gate to the opera house in the Municipal Auditorium. Take enabled Entertainment, Inc., headed by Paul Beisman, to reap a nice profit. It was the organization's first try.

Minneapolis

By Les Rees

Mickey Coen, M-G salesman, down with flu in Aberdeen, S. D.

Fred Barto, Paramount's new district exploiteer, in from Chicago.

Bill Schell of Cleveland to assume duties as district exploiteer for RKO there.

Marion Langeness resuming her 20th-Fox office duties after several weeks of illness.

Arch Zacheri, veteran Universal salesman, up and around after heart attack and expects to be back on job soon.

After 12 years with company, Bess Pokin resigning as Columbia branch manager's secretary to devote self to domestic duties.

Harold Johnson, Universal city salesman, delivered address before Windom, Minn., Community club at its annual dinner.

Twin City Variety club had party for Bert Wheeler and principals and chorus of Eddie Carroll's 'Vanities' playing at Orpheum.

Eddie Ruben and Bill Elson handling arrangement for Twin City Variety club's 'Gold Rush Days of 49,' affair to raise money for charity projects.

Art Weems in from Chicago to supervise opening of first of his hotel and supper club unit shows at Hotel Nicollet Minnesota Terrace, where it's going great guns.

Dick Woollen succeeding Alvin Anderson as Orpheum theatre treasurer, latter being transferred to Mort H. Singer's house in Davenport, Ia., in similar capacity.

Rio de Janeiro

Fox Films cocktail parting Sol Wurtzel, visiting exec.

Candido Botelho, Brazilian tenor, arrived on the S. S. Argentina from the U. S., where he filled a concert tour.

Manuelita Arriola, Mexican actress now appearing at the Atlantico Casino, was robbed of a $500 brooch between shows.

The General Electric Co. has contracted the services of Jose Machado, a Brazilian, to speak from the U. S. over station WGEA.

Raul Roulien, Brazilian actor, is charged with striking an actress with his fist when she attempted to collect her back wages.

Pedro Vargas, Mexican tenor, and Jean Sablon, French singer, both received their permanent papers and can now stay in Brazil indefinitely.

Al Szeckler, head of Universal for Brazil, arrived in Brazil 20 years ago. Members of the local film board celebrated the date by giving him a luncheon.

'41-42 Sales Plans

Continued from page 5

March 6-7, and the Canadian powwow to follow that, date to be set later.

Monogram is going forward with plans for a convention late in March, but to date neither United Artists nor Columbia has discussed the matter, also whether or not they may hold national conclaves or regionals.

Expected, however, that all of the companies outside of the decree which will be selling films en bloc will hold their conventions before the spring is over, whereas the others probably will not have theirs until June at which time the first group of five features may be ready and can be screened. A set number of films for '41-42 may not be outlined, however.

Metro in Hollywood

Understood that Metro, thinking of a national sales meeting in Hollywood, is desirous of having at least five '41-42 pictures ready for screening and discussion from the new sales point of view. All salesmen and possibly bookers are likely to attend the Metro meeting, the same going for other companies except that it cannot be said at this time whether national conventions followed by regionals or the latter alone will be programmed.

RKO, whose George J. Schaefer has located in the company, will make 40 pictures for the '41-42 semester, will hold a convention but beyond determination on such plans nothing is definite.

Among other things, in the distribution field the feeling is that even if a year's product cannot be announced as in past years, under the consent decree it will be doubly important to get the sales forces together for the usual hop-up, as well as for screening of early film ready and instructions on sales policy, the decree itself, etc. There is some feeling that regionals may be more desirable because smaller meetings are easier to handle and conditions differ in various territories.

Metro had a preliminary meeting in Chicago around the holidays, while Par also held one there and 20th did likewise on the Coast. Warner Bros. is discussing a similar prelim huddle for March. Schaefer and Ned Depinet are presently discussing '41-42 plans.

Par in April?

Par is mulling another sales meeting of h.o. heads and district managers for next month or April, which may be a preliminary to a national convention. So far there has been no discussion in Par concerning a national meet of regionals with branch managers, salesmen, etc. to follow a March-April huddle among the top execs in sales.

All of the companies in the Big Five group are expected to have their first batch of fives ready in June or at the latest early in July. They cannot start selling these pictures until they have been screened. This partly explains the rush on the part of the non-decree distributors in getting out to sell, their hope being that they can close up a lot of deals with exhibs before the Par-Metro-WB-20th-RKO contingent gets around to them. Also, they are free to offer a full season's lineup, while the Big Five is restricted to five or less at a time and then only after customers have been given an opportunity to see them.

Hollywood

Lloyd Nolan hopped off to Detroit.

David Bruce laid up after a motor crash.

Jeffrey Lynn bought a ranch in the valley.

Joe Rivkin joins the Army March 15.

Noel Coward clippered in from Australia.

William Orr bedded with bronchial trouble.

Bill Ganey getting ready for an appendectomy.

Dave Lewis to Honolulu for month's vacation.

Widow of Armand Kaliz administers his $23,000 estate.

George Tobias hopping to keep up with three pictures at Warners.

Joseph Shagrin in from Youngstown, O., to visit his brother Max.

Linda Darnell's salary at 20th-Fox hiked from $75 to $750 in 18 months.

Ginger Rogers' illness delayed filming of 'Tom, Dick and Harry' at RKO.

Charles Ruggles returned to work at Universal after siege of bronchitis.

Jack Forrester taking pointers from Alex D'Arcy on native scenic effects.

Ralph Bellamy setting out for the Gallapagos Islands on a fishing expedition.

Major W. S. Van Dyke in from the San Diego base for a visit with his family.

Sol Shor checked off the Republic serial writing staff to join the Army for a year.

Fidel LaBarba, former featherweight champion, departed 20th-Fox writing staff.

Mort Singer, David Loew, Al Lewin and Jack Hively trained in from Broadway.

Sir Cedric Hardwicke celebrated his 48th birthday and 36th anniversary as an actor.

Abbott and Costello selling their eastern property to buy homes in southern California.

Milt Hossfeld in from New York for the National Theatres division managers convention.

Lillian Roth hospitalized after accusing her husband, Eugene Weiner, of socking her with a telephone.

'Grapes of Wrath' was voted the outstanding picture of 1940 by University of Southern California studes.

Dink Freeman playing the copper in Pasadena Playhouse production of 'Margin for Error.' By day he's a cutter at Columbia.

Separate maintenance suit against Hal Roach dismissed but couple will continue to live apart. She originally asked for $125 a month.

Shirley Stewart, night club singer, filed $21,000 damage suit against It cafe, charging use of her picture for advertising purposes after her engagement ended.

Pittsburgh

By Hal Cohen

Bill Maloney, of WB contact office, has left for year's service in the Army.

The Harry Kalmines shove off for Miami in a few days for a short vacation.

Carnegie Tech freshman Gary Davis is the son of band leader Meyer Davis.

'Y' Playhouse doing 'What a Life' next month with Robert Klein in Ezra Stone role.

Loe Bolton's protegees, singing Galli Sisters, have been taken under Benny Davis' wing.

Les Appleby in from Canada ahead of Frank McCoy's production of 'I Must Fall.'

Edward A. Morgan named to direct annual Cap and Gown show at University of Pittsburgh.

The C. J. Lattas and their daughter, Dotty Lou, get back this week from a California vacation.

C. S. Forester, author of 'Captain Horatio Hornblower,' coming in for a lecture next Monday (3).

Y.M.C.A. Triangle Players have Clare Booth's 'The Women' scheduled for an April production.

Playhouse biz manager Bill Woodside on job again after being laid up in a Philly hosp for two months.

Charlie Kemper, who was at the Casino with Ann Corio in the fall, back again in the Ginger Britton show.

Owen Clery will be shifted from Fulton here to Park theatre in Youngstown, O., during run of 'Fantasia.'

The Bill Greens and DeArv Barton, of MCA office in Cleveland, sharing a Miami Beach house for a month.

Gerardo Troupe has dwindled to Jerry Gerardo and Helen Sekac, and they're now a team at the Club Bali in Philly.

Clifton Webb's 'Man Who Came to Dinner,' which played two weeks here recently, coming back to Nixon March 17.

Little Tony Ross, of touring 'Hellzapoppin,' and Eleanor Glaza, of Detroit, were married in Cincy couple of weeks ago.

Art England started for Miami, got to Washington, heard the weather was bad and turned right around and came back.

OBITUARIES

MELBOURNE MACDOWELL

Melbourne MacDowell, 84, husband of Fanny Davenport and a star in his own right during the red plush era of the theatre, died at the Masonic Home in Decoto, Cal., near Oakland, Feb. 18, of a blood clot on the brain.

Despite his advanced years MacDowell had been working for several years in collaboration with Mrs. Anne Broughton on two memoirs—one dealing with the life of Miss Davenport, which is practically completed, another with his own career. Mrs. Broughton, also 84, is an inmate of the Home.

MacDowell ran away from home to go to sea as a boy of 11. By the time he was 24 he had his mate's papers, and then he turned to the theatre, making his start with Alice Nielson in Montreal in a theatre operated by his brother, the late Edward MacDowell.

MacDowell, a matinee idol, specialized in heroic roles, winning acclaim as Marc Antony, Scarpia in 'La Tosca,' Boris Ipanoff in 'Fedora' and Andreas in 'Theodora Virginius.' He appeared with Miss Davenport until her death, when he co-starred for several seasons with Blanche Walsh. He played films in the silent days.

It was of MacDowell that Amy Leslie, Chicago critic, wrote in her book, 'Some Players,' published in 1899: 'He is Fanny Davenport's greatest work of art.'

MacDowell's death followed within a few days that of Frank B. Hartman, superintendent of the institution, who succumbed to the same ailment at the age of 70. He had been a walkon in New York in a McCullough production in which MacDowell had a bit. They did not meet, however, until both had reached Decoto more than half a century later.

ROBERT P. GIBBS

Roberto P. Gibbs, 81, long a prominent Broadway actor whose career spanned several decades, died Feb. 22 at a nursing home in Clifton, Staten Island, N. Y., after a long illness.

Gibbs, who began his career in 1883 in Shakespearean repertory, was born in Scranton, Pa., and, after trouping in stock, appeared in the original cast of 'Mr. Barnes of New York, in 1888. An active player in the '90s, he also had roles in 'Hands Across the Sea,' 'Trilby' and 'The Ghetto.'

'Trilby,' an 1895 production, in which Gibbs supported Virginia Harned and Wilton Lackaye, afforded him perhaps his best-known role. After the turn of the century he was seen in a 1904 revival of 'The Two Orphans' and appeared as a member of the original casts of 'Madame X,' 'Blossom Time' and 'The Pit.' Among his last engagements were those in 'Ashes of Love' and a Walter Hampden production of 'Caponsacchi,' both of which were 1926 presentations.

Funeral services will be held today (Wednesday) in New York under auspices of the Actors' Fund, with burial taking place in the Fund plot at Kensico cemetery, Westchester County, N. Y. A member of the Players and the Actors' Fund, he is survived by a brother, Dr. L. H. Gibbs.

SIR HAMILTON HARTY

Sir Hamilton Harty, 60, Irish conductor and composer who batoned in San Francisco and Los Angeles some 10 years ago and later officiated as guest conductor of symphony orchestras at Chicago's Century of Progress Exposition, died Feb. 19 at his home in Brighton, England.

Knighted in 1925 in recognition of his services to Irish and English music, Sir Hamilton was born in Hillsborough, County Down, Ireland, and received much of his early musical education at the Royal Irish Academy. While still a youth he was regarded as one of the most able piano accompanists of his time.

Among Harty's compositions were such works as 'With the Wild Geese,' 'Irish Symphony' and 'Comedy Overture.' A former conductor of the London Symphony Orchestra, he long directed the Halle Symphony of Manchester.

HARRY J. POWERS

Harry J. Powers, 81, retired Chicago theatrical manager who once owned the Illinois and Blackstone theatres there, and long was the Loop representative of the late A. L. Erlanger, died Feb. 21 after a two months' illness at his home in Morristown, N. J.

Born in Ireland, Powers went to Chicago as a youth and began his long career in 1877 as an usher in Holley's theatre there. Later, he was appointed its manager and after refurbishing the house in 1898 changed its name to the Powers. The theatre remained in his hands until its sale in 1923.

As president of the Amusement Company of Illinois, Powers operated the Illinois and Blackstone theatres for years and with A. L. Erlanger had a joint interest in the house named for the Broadway producer. Retiring 10 years ago, he had only recently moved to Morristown.

Surviving are two daughters, Josephine M. Powers and Mrs. Edward F. Dunne, both of Morristown, and a son, Harry J. Powers, Jr., of Miami, Fla. His wife, Mary, died a year ago.

GEORGE LORIMER JOHNSON

George Lorimer Johnson, 82, veteran stage and screen actor, died Feb. 20 at his home in Hollywood after a long illness. He is survived by his widow, one son, Richard K. Johnson, a Hollywood production manager, and two sisters.

During his youth Johnson was connected with the diplomatic service in Washington, leaving the corps to enter dramatic stock. He spent many years in stock and legit, his initial stage effort being in 'Nordick,' with the late Frank Mayo.

Leaving the legit field Johnson entered films and for a number of years was a director for Vitagraph. He left during the World War to go to South Africa and was the first director ever to film a picture there with a native Zulu cast. In recent years Johnson played numerous parts in Hollywood films.

ARTHUR J. EHEHALT

Arthur J. Ehehalt, 56, New Haven musician, died in New Haven hospital Feb. 18 after seven weeks' illness.

A native of New Haven, Ehehalt spent most of his life in musical activities. An early concert player, under Eddie Wittstein, he later joined pit orchestras in New Haven's Bijou, Poli and Paramount vaude houses. He was a member of the New Haven Symphony Orchestra for 20 years and served as its personnel manager. Also was secretary of Local 234, Federation of Musicians, for 15 years.

Widow, daughter and brother survive.

ALIDA DURAND

Mrs. Alida Durand, 78, formerly in vaude, died Feb. 21 at her home in Cheshire, Conn.

Born in New Haven, deceased was married to Howard W. Durand who, together with their children, were in vaude as the Five Musical Durands. Team was made up of father, mother, two daughters and a son. Act gave some 3,700 performances on old-time vaude circuits. Couple also conducted a costuming company in New Haven for some years.

Surviving, in addition to husband, are two daughters, one son and several grandchildren.

WALTER D. GREENE

Walter D. Greene, 68, veteran actor who retired six years ago, died Feb. 20 at his home in Great Neck, L. I., after a long illness. A native of Baltimore, he usually took supporting roles. In his 35 years in the theatre he had appeared in a number of David Belasco productions.

A member of The Lambs and Actors Equity, he leaves a brother, Thomas, and a sister, Mrs. William Bussang, of Stamford, Conn. Funeral services were held in New York Saturday (22).

WILLIAM A. KONSTANCE

William A. Konstance, 58, former pit conductor in Poli theatres, died Monday (24) at his home in Bridgeport, Conn.

A musician in the U. S. Marine Corps in the Boxer rebellion and the Philippines, Konstance played violin, sax and clarinet.

EDWARD J. O'BRIEN

Edward J. O'Brien, 50, European story editor for Metro-Goldwyn-Mayer, and internationally recognized authority on the short story, died in London yesterday (Tuesday). O'Brien was best known for his annual collections of the best short stories, which he had edited since 1915. He was also editor, from 1921 on, of Best British Short Stories.

O'Brien was born in Boston, educated at Harvard and began his career as a book reviewer for the Boston Evening Transcript.

JAMES H. GRADY

James H. Grady, 70, vaudeville and musical comedy performer, whose retirement some 10 years ago ended a long and colorful stage career, died Feb. 17 in Lynn, Mass.

Born in Boston, he moved to New York at an early age and appeared in such musicals as 'The Student Prince' and other contemporary operettas. He also had roles in several plays produced by Robert Edson and James O'Neil.

He leaves two brothers and a sister.

CLARA T. BRACY

Clara Thompson Bracy, 94, who started her stage career 50 years ago, died in Los Angeles, Feb. 22.

Deceased made her first appearance at the Drury Lane theatre, London, and later, with her husband, Henry Bracy, concert tenor, she produced operettas in Australia. Mrs. Bracy arrived in the U. S. in 1910 and went under Charles Frohman's wing, appearing with John Drew, Otis Skinner, Ethel Barrymore and others. One of the earliest film actresses, she made pictures for Kinemacolor and later Biograph.

JANE HADING

Jane Hading, 81, long a star of the Paris stage, died in Neuilly, a Paris suburb, on Feb. 18, according to word received in Vichy. The daughter of one of France's foremost melodramatic actors, she was born Jeanne Alfredine Trefouret.

Miss Hading studied music at the Marseilles Conservatory and went on to become the reigning favorite for 20 years at the Comedie Francaise. She was particularly noted for her acting in 'Les Effrontes' and 'L'Aventuriere.'

DAN BURGUM

Dan Burgum, 63, former film theatre manager in Des Moines, died in a Kansas City, Mo., hospital, Feb. 17. He had been in ill health for three years.

Burgum went to Des Moines in 1907 and later became manager there of the Garden, picture house. A number of years ago he left Des Moines to manage a theatre in Greenville, Miss.

Survived by widow, son and one daughter.

MRS. EDYTHE PORTER

Mrs. Edythe Porter, 57, an actress, was found dead in her New York apartment Feb. 23, an apparent suicide by illuminating gas.

A daughter, Virginia, with whom she lived, was out of town and was not immediately informed of the tragedy.

JOSEPH COYNE

Joseph Coyne, 74, died Feb. 20 in a nursing home in Surrey, England. American comedian resided in England for the last 35 years.

Details in legit section.

LEO MORAN

Leo Moran, 30, trombonist formerly with the Hal Kemp band, died Sunday (23) in Brooklyn, N. Y.

Further details in music section.

Mrs. Helen E. Berry

Mrs. Helen E. Berry, 52, owner of the Princess theatre, Edmonds, Wash., died at her home in Edmonds Feb. 15. Surviving are her mother and two daughters.

Mrs. Berry was one of the few women theatre operators in the Northwest section.

Mrs. Mary Silvers

Mrs. Mary Silvers, 71, mother of Louis and Sid Silvers, died last week in New York after a lingering illness. Louis Silvers goes east for the services and turns the musical direction of Monday night's Lux airshow over to Rudy Schrager.

W. C. 'Cap' Holliway

W. C. 'Cap' Holliway, 71, Frisco newspaperman for over 30 years, died in Pasadena, Cal., Feb. 22. He was father of Harrison Holliway, general manager of stations KFI-KECA, in Los Angeles.

Mrs. Antoinette Kallz

Mrs. Antoinette Kallz died in Los Angeles Feb. 17. Her son Armand, actor-writer, died only two weeks ago at the age of 40.

Father

Father, 78, of Gyles Isham, British stage and screen actor, died in London, Feb. 19.

'Heilz' to Ft. Dix

Continued from page 1

dress in freezing tents and when the mike began sounding like a pneumatic drill. It was 'Hellzapoppin'—in spades.

Show, not playing on Mondays in New York, marched on Dix to provide this unsuspecting 20,000-man Army post, accustomed to nothing more violent than 5-inch field pieces, with its most exciting day since No. 158 in person arrived last fall. It was staged for the benefit of the Army Relief Fund, which provides for widows and orphans of soldiers. Net was in the vicinity of $1,000.

$1-$1.50 Admish

Admish to the show was $1.50 for reserved seats and $1 for others—and in that lies a tale of near-mutiny. With those comparatively fancy prices (film admish here is 14c), tickets were offered only to officers. A howl went up from the enlisted men, a few newspapers mentioned it, and the ducats became available to any soldier with a buck. Officers had gotten everything in sight in the 1,034-seat theatre, however, by that time. Then came orders that part of the camp would practice a 'blackout march' (no lights of any kind, even on the trucks) Monday night. Officers assigned were forced to cancel reservations for 'Hellz' and Joe Rookie got a break. About 200 were also allowed to stand along the walls —which they later discovered wasn't bad at all because the chorus gals had to scramble over their feet to get to their dressing room in the rear of the house.

In addition to being the toughest conditions under which a Broadway show has ever operated, it was also the closest thing to a real first-night that an army camp has seen since Chateau Thierry. Front of the new theatre, resplendent in lavender neon, was mobbed by hundreds of soldiers hoping to be able to pick off a seat at the last minute or, at least, get a glimpse of the celebs and the Col. O'Gradys and their ladies in evening dress. A whole company of military police perspired like a 45th street cop keeping the mob back and untangling the jam of cars.

Co. of 126 Troupers

'Hellz' marched on the camp 126 strong, including 25 musicians and nine stagehands. Everyone donated his time on his day off (they had previously played a regular show and the British benefit at the Radio City Music Hall on Friday, two shows Saturday and two shows Sunday). Two army trucks took the stagehands, costumes, lights and props down in the morning and three scout cars transported the cast during the afternoon.

When the stage crew arrived, they found they had no curtains. A hurry call to New York and some fancy rigging remedied that—with the curtains being presented to the camp after the show by O. & J. Then the electricians found the Ft. Dix electric system on the lightweight side for their heavy equipment (which included the Winter Garden switchboard). There was another hurry call and army scout cars began recruiting New Jersey for a portable generator. They finally found one at the armory of an anti-aircraft battalion in Jersey City. State police escorted it most of the way to Dix. When it arrived, accustomed to such prosaic tasks as lighting million-candlepower airplane-spotting searchlights, it balked. Flood and spotlights, however, suddenly went on in the middle of the first act.

Croix de Something for Mears

Next baffling discovery was a complete absence of dressing rooms. Chief carpenter Jack Mears—whom it is rumored the army is going to decorate with a distinguished service medal—solved that one by use of a couple of offices at the rear of the hall and the erection of tents outside exits near the stage. Drapes covered the path from exit to stage. Tiny stoves, their iron pot-bellies glowing red, made only minor alterations in the frigid Ft. Dix air.

Cast was guested at a sandwich-and-coffee lunch in the Officers Club before the show (with nothing less than a brigadier-general in the army's new blue dress uniform pouring the mocha). Very elegant buffet and dance followed the performance with the Mt. Holly (N. J.) Musketeers providing the tunes until Shirley Wayne, O. & J.'s own deadpan heavyweight fiddler, could stand the pace on longer and demonstrated in a jam session.

Show itself—and that seemed to the cast the most minor event in the day—found the audience strangely lacking other shows here have. It's impossible not to laugh at much of 'Hellz' but whenever it was possible much of the house kept a straight face. Whether some of the gagging was over their heads or gold braid stiffens the arms it's impossible to determine, although appreciation for the troupe as a whole was well-evident.

Localizing the Zanyisms

Much of the gagging was remolded for a soldier audience. This angle clicked even better than anticipated at the start when Gene Meredith, with his slightly-dazed expression, attempted his crossing through the second row to get to the seat at the side of the stage from which he reads his newspaper throughout the proceedings. Instead of his usual clothes, he was in the denims of a recruit and carrying an old suitcase. General on the aisle mistook him for a mecoy 'jeep' (a new recruit) and tried to kick him out.

Johnny Burke's Wow

Names of commanding officers were applied to all the stooges to provide further laughs and Ft. Dix biggies also were spotted for the usual awards of the live chicken, cake of ice, step ladder, etc. Biggest personal hit of the evening, however, was scored by Johnny Burke, who's not even in 'Hellz'. He's to be in O. & J.'s next show, 'Crazy House,' but does a soldier monolog so was inserted for an audition. Such cracks as 'This is a raincoat, but all it does is sieve the water' had the privates in near convulsions.

Next Monday night, through the effort of New York agent, Phil Morris, who was also instrumental in bringing 'Hellz' down, King Features will send down a number of its name writers and cartoonists. They'll include Robert Ripley, Bugs Bear, Alan Segar, Otto Soglow, Russ Westover and others. Admish will be 25c, also to go to the Army Relief Fund, which pays all expenses, as it did for buses, food, etc., for the O. & J. gang.

Salute

Ft. Dix, Feb. 25.

Ft. Dix yesterday (Monday), for but the second time in recent history, put on a full regimental review to honor civilians. At the receiving end of the salutes were not Government officials, not foreign dignitaries, not personal friends of the general, but—Olsen and Johnson.

Review of more than 5,000 infantry troops, mechanized forces, artillery and equipment was staged in appreciation of the comics bringing 'Hellzapoppin' to Dix for a benefit performance. The other civilian honored with such a parade was Mayor Frank Hague, boss of Jersey City.

MARRIAGES

Margaret E. Harper to Paul F. Harron, in Philadelphia last week. He's president of WIBG, Philadelphia.

Helene Del Valle to Lee Bowman, film actor, Feb. 21 at Tijuana, Mexico.

Nancy Kelly to Edmond O'Brien, in Yuma, Ariz., Feb. 25. Both are film players.

Joan Wetmore to W. Palmer Dixon, in New York, Feb. 21. Bride's a legit actress.

Ann Rodgers to Jay Jackson, Feb. 14, in Columbus, O. He's announcer for WBNS there.

Irving Small, engineer at WELI, New Haven, and Celia Corick, Feb. 23 in New Haven.

Nellie Stone to Maurice McKenzie, Feb. 22, at Crown Point, Ind. Groom retired as executive assistant to Will Hays.

BIRTHS

Mr. and Mrs. Lee LeBlanc, daughter, in Hollywood, Feb. 18. Mother is the former Helene Costello, film actress.

Mr. and Mrs. Earl Long, daughter, Feb. 12, in Duluth, Minn. Father is manager of Garrick theatre, Duluth.

Mr. and Mrs. John Harris, son, in Pittsburgh, Feb. 5. Father's manager of the Palace theatre there and son of Frank J. Harris, president of Harris Amus. Co.

Lou Mindling tendered farewell party at Gotham hotel, N. Y., Monday (24). He's leaving MCA to do publicity on his own.

Literati

Time's Air Express Edition

Time Magazine has mapped an international Air Express Edition, to be distributed through Pan-American Airways, with the first issue to emerge May 5. Published in English with the editorial content to be almost identical with the weekly magazine's regular publication, the Air Express Edition will sell advertising separately and will permit subscribers to save three weeks between the publication of the mag to the time they receive it. Where New Yorkers would get Time on Friday, those Latin-America, where the venture is being tried initially, would normally receive their copies by the following Monday at the latest. It's the only publication using such a distribution method.

The initial territory to be served, in the Latin-American territorial setup, will be Cuba, Mexico, Puerto Rico, Virgin Islands and the Canal Zone. A special lightweight stock will be used. The cost of distributing Time air express will be more than the entire cost of the printing, 20,000 to be initially distributed.

Air-express to Alaska is planned to follow the Latin-American setup.

Pan-Am. Club's Affair

Pan-American Press Club, recently organized to promote closer understanding between newspapermen of North and South America, held its inaugural ball at the Ritz-Carlton, N. Y., Monday (24). Members of the club include newspapermen, editors, writers, radio commentators, and publishers of the two continents. Maria M. Garrett, who reps a number of S. A. mags in the U. S., is prez.

When it gets further established, club hopes to do its own publishing of works of its members to promote western hemisphere culture. It also aims to establish reading rooms and libraries and to provide for scholarship exchange students between the continents.

Changes in Annenberg Mags

Resignation last week of Curtis Mitchell as editor of Movie-Radio Guide was one in a series of changes and promotions in the Annenberg screen and radio publications. Carl A. Schroeder, formerly editor of Screen Guide, was named supervising editor of both Screen Guide and Movie-Radio Guide, while Marty Lewis's title was switched from associate editor to exec editor of Movie-Radio Guide.

Other changes: Gordon Swarthout was named managing editor of M-R Guide; Wade H. Nichols as editor of Screen Guide, and Tom Greenhow as western editor of Screen Guide.

PEN's American Unit

With a large number of its members now refugees in this country, European PEN is establishing an American unit. It will be known as European PEN in America.

PEN is an international organization of writers founded by John Galsworthy. Name is taken from initial letters of the words poets (or playwrights), essayists (or editors) and novelists. Strict qualifications as to quantity and quality of published works control membership.

Jules Romains, now in America, is International president. International exec council is being formed by a member in America for each country. H. G. Wells is honorary prez.

'Heavenly' Suit

Warner Bros. Pictures, Inc., last week filed suit in Philadelphia Common Pleas Court against the McRae-Smith Publishing Co, seeking an injunction to restrain the firm from publishing Percival Christopher Wren's latest novel 'Two Feet From Heaven.'

Morris Wolf, Warners counsel, told the court that the book's title would be confused with 'One Foot in Heaven,' by Hartzell Spence, recently purchased by Warners for a picture.

Literary Guild's Dual Choice

A mystery yarn and its sequel, by the same author but issued by different publishers, have been selected the Literary Guild's dual selection for May. It's the first time that the Guild has ever chosen a mystery story and the first time it's selected two books jointly.

The books, by Manning Coles, are 'Drink to Yesterday,' published by Knopf on Feb. 10, and 'Toast to Tomorrow' to be published next month by Doubleday.

Fred Allen 'Titles' Book

The difficulty that Doubleday-Doran had in finding a title for H. Allen Smith's partially autobiographical humorous tome, due for May release, has been alleviated. Fred Allen, the comedian, in his preface to the book, provided the solution.

Allen stated that '.....if Smith were an Indian he would be low man on any totem pole.'

So the title is 'Low Man on the Totem Pole.'

Justin Herman's Story

Yarn by Justin Herman, writer in Paramount's shorts department, is to be included in the annual O'Brien collection of the year's best short stories, 1940 edition of which is being readied for publication. Piece, which appeared originally in Coronet, deals with the film biz and is titled, 'Smile for Me, Dear.'

Herman also had a piece included in a world anthology of humor, which was published last year.

LITERATI OBITS

Wade Mountfort, 77, long a newspaper reporter and editor, whose last post was that of managing editor of the Cincinnati Times, died Feb. 18 in Sarasota, Fla. He retired in 1935 due to a fractured vertebra.

Bruce McRae, 43, former staffman with the old New York Telegram and for 10 years associated with King Features Syndicate, died Feb. 18 in Daytona, Fla. A heart condition caused his retirement from King Features several years ago.

Mrs. Margaret Ellen-Henry Ruffin, author of several books and prolific writer of magazine short stories, articles and verse, died in s Mobile (Ala.) hospital Feb 19. Among her works were 'The North Star,' romance of Christianizing of Norway, for which tale she was personally praised by King Haakon.

David Karsner, 51, vet newspaperman, author, biographer and scenarist whose book, 'Silver Dollar,' was made into an Edward G. Robinson film at Warners in 1932, died in a New York hospital Feb. 20. A copyreader on the New York Post the time of his death, he was stricken with a brain attack in the Post office, from which he was removed to the hospital.

William M. Pepper, Sr., 66, president of the Pepper Printing Co., publishers of the Gainesville (Fla.) Sun, died Feb. 23 in Gainesville after a four-month illness.

CHATTER

New Europe, Inc., chartered to conduct a magazine business in New York.

Random House to publish Ward Morehouse's new play, 'U. S. 90.'

Howard Kahn in Hollywood to cover Academy Awards dinner for St. Paul Pioneer Press.

Virginia Van Upp having a collection of her short stories published in book form by Grosset & Dunlap.

H. G. Rhawn, who since 1924 was editor of the Clarksburg (W. Va.) Exponent, has purchased controlling interest in The Clarksburg News, Inc., a weekly.

Grandma's Story Book Enterprise, Inc., chartered to conduct a business in children's story books, etc., in New York. Capital stock is $50,000, $100 par value.

Fred W. Burgner, of the Trenton Times, is the new president of the New Jersey Legislative Correspondents' Club, succeeding Leo J. Hershdorfer, of the Hudson Dispatch.

N. Y. Press Photographers Assn. annual display and show moves into Radio City this year, at the N. Y. Museum of Science & Industry, RCA building, March 29. Runs until April 20.

A.K. Pix Stars

Continued from page 1

of approximately $1,000,000, attributed mostly to the drawing power of six yesteryear stars, Eddie Leonard, Blanche Ring, Gilda Gray, Pat Rooney, Julian Eltinge and Harland Dixon: 'Turn of the Century,' preceding 'Nights of Gladness,' exceeded $1,000,000 at the b.o. in 17 months at the Horseshoe, also with a cast of oldtime stars, Fritzi Scheff, Joe E. Howard, Emma Francis and Willie Solar.

'Silver Screen' will be staged by John Murray Anderson, sets and costumes by Raoul Pene duBois, with dances directed by Marjorie Fielding.

Sime Biog Postponed

Publication date of 'Lord Broadway' (Wilfred Funk; $3), the Dayton Stoddard novelized biography on Sime Silverman, has been deferred to a date yet to be set.

It was slated for publication yesterday (25).

New Silver

Continued from page 1

coin is a futile request and sure to be a flopperoo stunt.

This has been tried many, many times but each time the result has been dismal. This fact has brought the sponsors of several direct sales items and the sales managers of many stations up against a problem.

They have many items which have their fair and just price they say at 35c. Which means that they cannot be justifiably sold over the air at a one-coin price. At 25c, the advertiser would be losing money, and the public would be justified in thinking that 50c was too tough.

Similar instances are known in items in other prices, prices which cannot be met with a single coin. And for this reason many sales managers are seriously considering the reasonability of asking the United States Government to coin some discs of denominations between the present standard coins. They feel it would open up avenues of direct sales on many items now closed to radio mail-order plugging due to these two-coin bugaboo.

Ginger, Stewart Pace Field

Continued from page 3

nomination ballots are an indication, he doesn't even have a close rival.

Ginger Rogers looks like a winner for the most outstanding performance by an actress. Martha Scott, Bette Davis and Joan Fontaine will be right up in the running, but may split the vote to such an extent that Miss Rogers will move in for her work in 'Kitty Foyle.' Katharine Hepburn will receive acclaim for her work in 'The Philadelphia Story' but she is not popular with the extras and will receive few of the 7,000 votes that may be cast by atmosphere players.

Extras in Oakie's Corner

The award for the best performance by a supporting actor apparently lies among Jack Oakie, for his impersonation of Mussolini in 'The Great Dictator,' Albert Basserman, for his performance in 'Foreign Correspondent,' and James Stephenson in 'The Letter.' Oakie is well liked by extra and stock players, whereas the local refugee prejudices may work against Basserman being there at the finish.

Judith Anderson, who was the housekeeper in Selznick's 'Rebecca,' and Ruth Hussey, who played a reporter in 'Philadelphia Story,' look like the best bets to capture the award for a supporting actress. Miss Anderson received a big vote in the nominations, and if her popularity holds for two more days should walk away with an Oscar.

The directorial award is certain to be a two-way race between Alfred Hitchcock and John Ford. Ford was nominated for his direction of 'Grapes of Wrath' but he will receive just as many votes for his 'Long Voyage Home.' Hitchcock has been acclaimed by critics throughout the country for his direction of 'Rebecca' and is generally liked in the industry. This should be a close one, with Hitchcock winning by a nose.

Three writing awards will be made this year, with Quentin Reynolds, here on a lecture tour, handing out the Oscars as an added attraction. 'My Favorite Wife,' by Leo McCarey and Bella and Samuel Spewack, looks a certain winner as the best original story, but 'Edison The Man,' by Dore Schary and Hugo Butler, will be a close runnerup.

Wanger's Thalberg Award?

Walter Wanger is said to have the best chance to carry off the Irving Thalberg Award. Two of his pictures have nominations 10 classes.

Release-jumpers are out of luck this year on Academy winners, as the new arrangement does away with advance notice of Oscar recipients. Those accoladed won't know of their selection until actually called to speakers' table to receive statuettes. As each division is called up, various emcees will be handed a sealed envelope containing the name of the top vote-getter, with presentation to follow.

In previous years, news services of the downtown Los Angeles sheets were handed complete lists of winners long before the dishes were cleared away. Many ignored the release time, and some sheets were on the street with a full lineup of Award winners before proceedings were half over. An auditing firm is maintaining strictest secrecy on the ballot-counting this year.

Nichols-Stewart Stand-off

Dudley Nichols and Donald Ogden Stewart will fight it out for the award given for the best screenplay regardless of source. Nichols did 'Long Voyage Home' while Stewart was nominated for his work on 'Philadelphia Story.' Nichols is considered a slight favorite. Preston Sturges is considered as good as already in for his original screenplay, 'Great McGinty.'

Gregg Toland stands a good chance to carry off the honors in the black and white camera classification for his lensing on 'Long Voyage Home.' 'Spring Parade' and 'Rebecca,' however, are dark horses and may finish fast. In the color photography class, the race is between 'North West Mounted Police,' 'Thief of Bagdad' and 'Down Argentine way.' Chances are more extras saw 'North West Mounted Police,' which may give it an edge in the final balloting.

The film editing award apparently lies between 'Long Voyage' and 'Rebecca.' For the best song award it looks like 'When You Wish Upon a Star' or 'Only Forever.' 'Puss Gets the Boot' will receive the nod in the cartoon division, 'Quicker 'n Wink' in the one-reel shorts, and 'Teddy the Rough Rider' among the two-reelers. 'London Can Take It' may push Pete Smith to win with his 'Quicker 'n Wink.'

The annual awards dinner is already a sellout, with late-comers howling because they can't get seats. Bob Hope will act as emcee. President Roosevelt will open the affair with a radio address to the industry from the White House. Replies will be made by Walter Wanger, Academy president, and other picture leaders.

Suing Buff. for 6G

Buffalo, Feb. 25.

Collapse of temporary wooden seats at Memorial Auditorium during the Sonja Henie ice show in December has resulted in claims for $6,000 being filed against the city.

Two spectators are seeking damages, claiming that the seats were not fastened to the floor and collapsed while the claimants, pursuant to directions of hall attendants, were standing in order to permit others to reach their seats.

WHAT THEY THINK

Status of Mapelson Discs

New York.

Editor, VARIETY:

In your issue of Jan. 22, 1941, on page 48 you published an article headed 'New York Public Library in Possession of Rare Mapelson Discs of 1890s.' Part of the information in this short article was inaccurate; and as we have the facts, we would like to present them to you at this time so that you can give your readers the truth of this matter.

One specific statement needs denying—the assertion that nothing has been done about re-recording the cylinders mentioned. There has been a delay, due to the fact that no satisfactory arrangements could be made to date for the reproduction. But it is understood that the records will be released under the label of The Friends of Recorded Music (a society sponsored by the record magazine — The American Music Lover), and that they will sell at the lowest price possible—neither the Library nor the Friends being interested in making a profit. It can now be stated that a solution has been found for the re-recording, and that the public will not have to wait much longer for the finished products. All the artists mentioned in VARIETY (Jan. 22) are not to be represented in the collection. Only those records which reproduce satisfactorily will be published. Naturally these cannot come up to the standard of electric recordings, but they will at least give some idea of the voices of the artists. The originals are in good condition, never having been played very much.

Although we would like to be able to give the titles of the selections on the cylinders, this is not possible at the present time. Suffice it to say, there is an excellent example of Jean DeReszke's voice on one cylinder which we hope to release in the early future—the selection is part of an aria from Massenet's Le Cid.

Peter Hugh Reed.

Judge Goldstein Writes

New York.

Editor, VARIETY:

Some time ago VARIETY carried a front-page article regarding Sidney Bernstein of London. I was so impressed with the article that I sent a copy of it to my friend, Sir Louis Sterling, asking him to show it to Sidney Bernstein. I think you and your readers would be interested in learning that Louis wrote me:

'All that VARIETY had to say about Sidney Bernstein was absolutely correct. He is an old friend of mine and one of the very best, and when you come over here I should like you to meet him. I took the liberty of sending him an extract of your letter and enclose herewith his reply.'

The enclosure was the following: 'Dear Sir Louis:

'Thank you for your letter with enclosure. It was very kind of you to write and send me a copy of the letter which you had from Judge Goldstein. It was also very kind of him to have troubled to write. Please convey my thanks; you I know, will pardon my blushes.

Yours sincerely,

"Sidney L. Bernstein."

Sir Louis also wrote me:

'I am so pleased to hear that many of the Grand Street Boys remember me. It would be like heaven for me if I could sit casually drop into the club and shake hands with them all, but that is a pleasure which must be deferred until after the war.'

All of us here could indeed use a few Sir Louis Sterlings and a few Sidney L. Bernsteins.

Jonah J. Goldstein.

[Story refers to Quentin Reynolds letter from London, lauding the generosity and wartime sacrifices of the Bernstein family, who operate a large theatre circuit in England.—Ed.]

Maurice McKenzie Philosophizes

Crown Point, Ind.

Editor, VARIETY:

Sure I miss the friendships of Main street; that would be true no matter where I would go. As for the turmoil, excitement, pleasures which are largely synthetic, those things are not for me to belittle, yet growing flowers on these sometimes bitter Indiana acres is interesting, inspiring.

Observation, comparison, of country and city human strata, after an absence of 22 years, bring definite impression that we are all pretty much alike, everywhere. In this community I have been in homes where the family relationships are beautiful, the minds active, much musical talent, honest expression, travel-experience. And the smallish town of Lebanon, near Indianapolis, bred and harbors one Al Wynkoop, as acidulous and entertaining a toastmaster as Bud Kelland...But you ain't set for reading a treatise, nor am I for writin' it.

Maurice McKenzie.

(McKenzie was Will Hays' aide for many years—Ed.)

Agrees With Weitman

New York.

Editor, VARIETY:

I have read the article in VARIETY of Feb. 12 concerning Mr. Weitman's set of rules for performers at the Paramount Theatre.

I would like to say that I agree most heartily with his suggestions and feel that adherence to his set of rules would make performing more pleasant and effective to both the artist and audience.

I have clipped the column and placed it conspicuously in my dressing room at the Rainbow Room.

I think it is important enough to the industry for VARIETY to reprint it in bigger type so that all artists can clip and paste it on a cardboard backing for permanent use. It would be effective as a reminder and especially useful when, while touring the country, you can subtly bring it to the attention of particularly obnoxious offenders on your bill.

Keith Clark.

EASTER Attraction at Radio City Music Hall

IF EVER A PICTURE WAS MADE TO MAKE MONEY...

...it's this one...with a heaven-sent piece of casting that brings together the world's most publicized couple in a big, important hit, personally directed by Alexander Korda, working for the first time with the unlimited facilities of American production close at hand. Everybody in the trade is already gossiping about That Hamilton Woman!

ALEXANDER KORDA presents

Vivien LEIGH *Laurence* OLIVIER

That Hamilton Woman!

with ALAN MOWBRAY • SARA ALLGOOD • GLADYS COOPER • HENRY WILCOXON

Original screenplay by Walter Reisch and R. C. Sherriff

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